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THE PAST—THE PRESENT—FOR THE FUTURE.

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On Tuesday morning, the 20th instant, being at New York, the editor had the misfortune to break his left arm, in getting out of one of those useful, but dangerous, accomodations, called an omnibus. The horses started at a rapid gait as he was leaving the carriage—and threw him on his back; and in a vain attempt to save himself from falling, the accident occurred—both bones of the lower arm being snapped off, and the wrist severely sprained, &c. He is happy to state, however, that, though attended with considerable pain, the wounded arm appears to be doing about as well as a bruised and broken limb can do—being otherwise in good health and condition, and blessed with a fair stock of patience and perseverance. By the application of the latter, he has been enabled to present a paper filled with highly interesting matter, though many things are omitted or postponed.

The doings of the abolitionists, and of the people, at *Boston* and *Utica*, are given in the words of others. They present, as he believes, a pretty full history of events that happened at both places. Other things are added which relate to incidents in the south, &c.

The affairs of *Texas* are also detailed at considerable length. We apprehend that much difficulty will grow out of the present state of things. If the law is the same as it was in "*Jerry Jourdan's time.*"* the relief that is expected by the colonists, and openly proposed to be given, at several places in the United States, cannot be granted without war against Mexico. "*Burr's conspiracy*" went no further than many of our people seem willing to proceed—as though they had an unquestionable right to organize a military force in the *United States* to assist the inhabitants of Texas.

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The Taunton *(Massachusetts)* Gazette says that further investigations fully prove the existence of a fine bed of coal near the Boston and Providence rail road, in Mansfield. Practical miners have examined the bed, and found anthracite coal of a quality equal to the Pennsylvania. They have already dug down 20 feet with indications of a very extensive bed. It is only bituminous on the top.

No doubt, coal is yet to be discovered in many parts of our country.

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Commodore *Hull* and his family sailed from New York, on the 21st instant, for Gibraltar, with the intention of spending some time in the south of Europe.

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Some troubles at the Indian Stream settlement have again occurred. This place is disputed territory between New Hampshire and Canada. The British having got as large a slice of Maine as they want, seem disposed to take a strip from Isaac Hill's dominions.

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The late cashier of the commercial bank of Albany, who is supposed to have ruined himself by gamblings in Wall street, New York, has not yet been apprehended. We have heard it stated as probable that he has made his escape to Havana, and that officers had proceeded thither in pursuit of him. The following advertisement has been issued by the president of the bank:

5,000 DOLLARS REWARD.

☞The above reward will be paid for the apprehension of Henry Bartow, late cashier of the Commercial bank of the city of Albany, who has absconded with about one hundred and thirty thousand dollars of the funds of the said bank, on his delivery to the proper authorities of this state, together with the fund taken from the bank.

Or the sum of two thousand dollars will be paid for his apprehension and delivery into one of the jails of the United States, and held subject to the requisition of the governor of this state.

For a recovery of a proportion of the money taken, a proportion of the above reward will be paid.

Said *Bartow* is about five feet six or seven inches in height, dark complexion, high colored, with some slight scars on his face, dark eyes, heavy eye brows, black hair, rather thin, and inclined to curl, small in person, slow in speech; when speaking, scowls. By order of the board of directors.

JOHN TOWNSEND, *president.*

Albany, Oct. 15, 1835.

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The count Survilliers (Joseph Bonaparte) was received at his residence in Bordentown, as we are informed, by the citizens of that place, with every mark of esteem and regard, and gratification at his return. The urbanity and politeness which this distinguished individual has always exhibited in his intercourse with our citizens, his liberal enterprise and open-handed benevolence to the necessitous, have secured him a strong hold upon the affections of the community, in which he has for many years resided, and it is their ardent desire that he may again take up his permanent abode with them, and be favored with the enjoyment of a long life of health and happiness. [*New Jersey State Gazette.*

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The *Newcastle (Del.) Gazette*, of the 22d ult. has the following horrible account—

We were called upon as a juror, yesterday, to examine the dead bodies of three negroes found packed in tierces, similar in make and size to those used for packing fine New Orleans sugar. It appears they were forwarded from Baltimore to Philadelphia by the Union Line company, and labelled "*H. G. Francis.*"* They were put on shore at this place on account of the disagreeable odour that came from them while lying on board of the steamboat; and upon a suggestion being made that they contained human flesh, one of the tierces was opened, which was occupied by two female negroes packed face to face; the casks were accordingly removed from the wharf to the public burying ground, and there opened, and an inquest of twelve men called to examine the bodies, who returned a verdict "that the said persons came to their death by means unknown to this jury." The decomposed state in which the bodies were found prevented a thorough examination of the same; the necks of the two females appeared to have been dislocated, and the nose of one broken, together with the eyes nearly forced from their sockets. Whether this was done previous to their death, or caused by forcing them into the tierce, is uncertain. One of the females was nearly white, the other a bright yellow. They were all without any covering, and packed in straw and corn blades. After the examination was over they were buried in one grave, together with the tierces that contained them.

Various conjectures have naturally arisen as to the probable manner in which these persons were deprived of life, and the uses for which they were intended. Our opinion is, however, that they died natural deaths, and were intended as subjects for dissection, although that belief is somewhat staggered when we consider the particular season of the year, and the fact that neither of the medical colleges of Philadelphia have, as yet, commenced their regular course of lectures.

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More than a hundred thousand dollars a month have been received at the land offices of Chicago and Quincy, in Illinois, in payment for lands taken at the minimum price of $1 25 an acre, since the public sales in the summer. There is an immense tide of emigration settling into that as well as the other states of the west.

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There had been great floods in the Ohio, about the 20th and 21st inst. The Alleghany was still rising on the 22d. The lands upon the shores of the rivers have been swept of their crops, fences, &c. &c. The western mail could not pass at Wheeling, for several hours. The rise of the waters of the Ohio had been 35 feet.

*Or in *Thomas Jefferson's time!* This phrase will not need an explanation in *Maryland*—but for general information, the tradition that belongs to it should be added. A Mr. *Jourdan*, the chief justice of one of our circuits, was an able man, and remarkable for his addresses to grand juries. On the decease of Mr. J. one of the *side*-judges undertook to hold a court, and direct the grand jury, by simply saying, that, as the law was about the same as it was in *Jerry Jourdan's time*, it was not necessary that *he* should tell them what it was!

*This name is fictitious, without doubt, and was written upon a card, and nailed on the head of each tierce.

The whole lake country, from New York to the "far west," may be said to have been inundated by falls of rain. The streams were filled to their utmost bearing, and immense damages sustained, with several losses of life. The rain is said to have fallen to the depth of *four inches* in five or six days! Certain vessels on the upper lakes had been lost, and many driven from their moorings, &c.

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The proprietors of the South Carolina rail road are doing a great business. The Charleston Courier states that the books show an increase of 50 per cent. in the receipts for September, over that of last year; and also, that the business since the 1st inst. has averaged one thousand dollars per day! The stock of the company appears to be in the hands of persons who feel no disposition to sell.

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The New Orleans Union says that offers have been made by various institutions for the purchase of the debts due to the branch of the United States bank in that city, but that they have not been accepted, the mother bank intending to make use of that branch in settling up its business in the western and south western states. The Bulletin states that instructions have been received at the New Orleans branch, to discontinue purchasing bills, collecting or checking, on Baltimore, Pittsburgh, Cincinnati, Lexington, Louisville, Nashville, St. Louis and Natchez.

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According to an article in the Charleston, S. C. Mercury, the whole number of white inhabitants in the 12 slaveholding states is 3,660,567—and the number of slaves is 2,005,475.

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The New Orleans Advertiser states that Dr. Verner, the former editor of that paper, and the writer of the articles respecting the legion, which caused the recent disturbance in that city, was taken on the night of the 1st inst. from the residence of a friend in the city of Lafayette, where he had taken shelter, flogged, and otherwise ill treated; but, strange to say, the Advertiser remarks, not by any one of the parties who felt themselves aggrieved by the articles referred to. He was afterwards carried to the calaboose, (city prison) where he remained on the 3d, but "at liberty to depart whenever he may think proper."

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An extraordinary instance has occurred in the Cherokee territory, Georgia, of government interference with the liberty of the press. Some years ago, the Cherokee council established a newspaper for the assertion of the Indian rights and to enlighten the people under their government. Large subscriptions were made for this paper here in the north, and an editor was appointed by the representatives of the Indian nation—a native of the country educated in Connecticut, and familiar both with English and Cherokee. After awhile, ill health prevented the editor from continuing his vocation. The council having recently made arrangements for the resumption of their national journal, issued an order for the removal of the press and types. What is the result? By a sort of juggle, it is thrown into the custody of the Georgia guard. The principal chief of the Cherokees remonstrates to the agent of the United States, residing in his neighborhood. How is he answered? The agent plainly tells him, that the paper does not uphold the purposes of the government against the Cherokees, and that he has made arrangements to see it used in such a way as may subserve the policy most offensive to the Indians, and smother their only vehicle for complaint against oppression. This is the substance, hough not the form, of the reply; and if this is not a new way of supporting the liberty of the press, why, let those who think it right, establish a French censorship, after the pattern of Charles X, ex-king of France—only taking due precautions first not to expose themselves to his fate for so doing.

[*N. Y. Star.*

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The present state of our affairs with France may, perhaps, be gathered from the articles given below:

A French ministerial paper, the *Journal des Debats*, after quoting from a New York paper that part of Mr. Livingston's speech, at the dinner given to him in New York, in which he says, "should one word of additional explanation be required, the good intelligence between the two countries is at once interrupted, perhaps destroyed—the voice of the country is, thank God, decided on that subject," adds the following reflection: "Mr. Livingston, no doubt, has made himself the organ of gen. Jackson's passion, but public confidence is not shaken in America, and our correspondent in the United States informs us, that in all the great commercial cities, they expect that the election of Mr. Van Buren will bring about an arrangement with France."

The foregoing reflections, coming from a semi-official source, add another lamentable instance to the many delusions in which the French government indulge themselves with respect to the United States. From the time of Mr. Genet's celebrated appeal from the president to the people, whenever any misunderstanding arises between the two countries, they fasten their hope on an imaginary disaffection of the people, to the government of their choice. They take party declamation and electioneering slang for the serious expression of the popular feeling. They magnify all the dissentions which are inevitable where free discussion is allowed, and persuade themselves always that the opposition speak the sense of the nation. The correspondent of the *Journal des Debats* from America is understood to be Mr. Chevailler, a young gentleman of general cleverness and considerable talent as an engineer. He was sent out to examine the state of our internal improvements, and has added to this task of giving occasional sketches of the state of manners, government and party politics among us, which are published in the Journal des Debats. Among many judicious remarks, written in a chaste and interesting style, are errors into which a stranger, who undertakes to write in a decisive tone on the topics which this gentleman has chosen, must inevitably fall; of this the information quoted by the editor of the Journal is a striking instance.

Where could he have discovered, that in all the great commercial cities of the union, they expect that the election of Mr. Van Buren will bring about an arrangement with France—or that those cities wish any arrangement with France—or that those cities wish any arrangement which general Jackson would think derogatory to the dignity of the country? Not surely in the unanimous and unequivocal expression of opinion which burst from all those cities on the return of Mr. Livingston. Not in any thing which has been said or written by Mr. Van Buren on the subject. On the contrary, we assert, without the fear of contradiction, that if Mr. Van Buren succeeds general Jackson, as we have no doubt he will, there will be no change of policy, no departing from the high ground of national honor on which the government now stands—and that any foreign power which may calculate on such a change will be greatly mistaken in its views.

[*Globe.*

From the Globe of the 22d inst.

The National Intelligencer resumes its old position as to the president's message on the French indemnity. On the first news of the passage of the proviso requiring explanations, the Intelligencer abandoned its ground, that the president's message contained a menace. It insisted that the president ought to do nothing more in satisfaction of the previso, than reaffirm the declaration of the message—that the disavowal in that paper of all intention to intimidate a people whose pride and power alike put them beyond suspicion of acting under the influence of a threat, was quite enough to satisfy the world that the president's recommendations were directed simply to the object of maintaining our own honor, and not, in the slightest degree, aimed to operate on the apprehensions of the transatlantic government. This, surely, was the scope of the argument on which the opposition press in every quarter maintained—that all that was necessary, in their view, was a reiteration of the message.

But now, it seems, the enemies of the administration have received intimations from some quarter that the French king will expect something more than the clear, explicit protestation of the message, against the construction they put upon the message to embroil us with France—something more than the lucid explanation contained in Mr. Livingston's letter on the character of our government, and the absurdity of the king's government looking to the inferences of the opposition for the meaning of the president's communication to congress, and of assuming a right to interpose in the national councils, to take exceptions to, and attempt to control, the phraseology employed in conveying between the different departments of the government their sense of what the public exigencies demanded—something more than the president's official, and publicly announced, approbation of Mr. Livingston's letter, repeating to the French government that the construction of the enemies of peace here and in Europe, converting the message into an insult and menace, was wholly unauthorised by its terms or the intention of its author. And as the French party among us suppose the demand of the French king has risen beyond their expectation, they have resolved to justify any extravagance into which he may run, by taking their old and once abandoned stand. The Intelligencer of yesterday, again speaks of the language of the message—that message which it proposed to reiterate as a preventive of war—as "likely to endanger the public peace," and is ready to ascribe whatever mischief may follow from the instigation of the factious among us, and the folly of those abroad who have listened to their counsels, to the menacing language of the executive message.

From the Moniteur du Commerce of the 15th.

A private letter from New York says—

"In the negotiations relative to the French indemnity, we find a crowd of circumstances which cannot fail to prove the patience of the French chambers, and if war or hostile measures ensue, they must be laid to the charge of the federal executive and his ministers. We all recollect when the treaty of 1830 was executed by the French cabinet, Mr. Rives, the American ambassador, had the folly to exult at the good bargain which he had attained from France, wishing it to be believed that he had triumphed over her ministers. There was not much to make so much noise about, for if the pretensions (of the Americans) were good for 25 millions, they were equally so for 70 or 80 millions. The government had the stupidity, or disloyalty to make a flourish of trumpets about this pretended glorious result. It was sought to add a new eclat to the ministerial party on the eve of an important election. These demonstrations must have been mortifying to the French cabinet, which saw these concessions made in a spirit of conciliation and peace—wickedly interpreted, and cited as a proof of ignorance and national negligence. The French chamber of deputies rejected the law as was to be expected. A second piece of mismanagement was the tone of bitterness and anger indulged in by general Jackson in his message to congress. Finally, the publication of the correspondence of Mr. Livingston, in which he advises energetic language, and permits the expression to escape, that he had been urged by the French cabinet to give this counsel. And this, as well as the drafts made on the French government at the most inopportune moment, prove most convincingly, the want of tact and experience, the natural consequence of the mismanagement of the administration."

The New York American publishes the following letters from its French correspondents:

Paris, September 8th, 1835.

I have nothing encouraging to say to you on the subject of the 25 millions. All the American packets from Havre go full of goods, every one leaves out many packages for its successor; there is quite a scrambling who shall get his goods on board first; and I am told the principal shippers are French, which has not been the case heretofore. The best informed persons here think, if there is any thing like temporising on your side, the end of the affair will not soon be seen. If the government of the United States thinks enough has been done to satisfy all that was proper to be asked by France, there should be no further delay in taking measures to bring these mistaken people to their senses, should there be no satisfactory evidence received before the meeting of congress, that they are ready to pay the money voted, and that without condition.

Paris, September 16th, 1835. There is a rumor here that M. de Rothschild has asked for the first payment, on account, of the 25 millions, but the minister of finances did not pay. We Frenchmen think that for 25 millions you might give some millions of excuses; but to be serious, is it not lamentable to see two nations like France and the United States, get into greater difficulties than ever, after having been so nearly agreed on all points. Yours truly.

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We sincerely hope that in the following statement, in the "*Lexington Intelligencer*," some mistake has been made—

We learn from Nashville (the authority undoubted) that on the meeting of the legislature on Monday, the 5th inst. every member received three numbers of the Globe, containing articles strongly and particularly abusive of judge WHITE, and designed expressly to operate upon the prospects of that gentleman, not only as a candidate for the presidency, but upon his re-election to the senate of the United States. These Globes were all enveloped and *franked by the president of the United States;* and more, *one* of the three superscribed by the president in his *own hand writing!* This circumstance produced great excitement among the members, as among the citizens of Nashville generally, and on Tuesday the legislature went into the election of a senator, and UNANIMOUSLY re-elected judge *White*. Our authority states further that, Tennessee, at this moment, is as decidedly anti-Jackson as it is anti-Van Buren.

The subject is thus further noticed in the Kentucky Reporter:

"We learn verbally that the legislature of Tennessee, which is now holding its first session under the new constitution, has re-elected judge White unanimously to the senate of the United States. We also understand that, at the opening of the legislature, three copies of the Globe, under the *frank of A. Jackson, P. U. S.* was found upon the table of every member, filled with the most scurrilous abuse of the judge. The endorsement of it, however, by the president, appears not to have produced the slightest effect upon the independence of that body."

But if true, how great must have been the mortification at the result—judge *White* being re-elected unanimously.

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A new grand association has been formed between Great Britain and Brazil, called "The Imperial Anglo-Brazilian Canal, Road, Bridge and Land Improvement company." Capital 500,000 pounds, in ten thousand shares of 50 pounds each. The objects of this company will be—

"1st. To erect a bridge (from 350 to 400 feet in length) across the river Parahiba, near the town of San Salvador de Campos, in order to afford a safe and easy communication between the northern part of the district of Campos, as also the adjoining province of Espiritu Santo, and the south side of the river, where the company's canal will commence.

"2d. To connect, by means of navigable canals, the river Parahiba with the Macahe; the whole of the proposed line intersecting sugar estates and coffee plantations; and, though the distance be about eighty miles, yet, by connecting the intervening rivers and lakes, not more than twenty-five miles of canal will be required, and that over level ground.

"3. To make one or more roads (about twenty-five miles in all) for the purpose of conveying the produce of the municipalities of New Friburg and Cantagello to the river and port of Macahe, distant 24 to 36 hours sail from Rio de Janeiro, now sent to market over 60 miles of very bad mule tracks, at the expense of carriage of nearly 100 per cent. on the prime cost at the plantation.

"4. To establish steam or sailing vessels on the coast of Brazil, between the ports of Mecahe and Rio de Janeiro."

The company enjoys the patronage of the Brazilian executive government, and has obtained important privileges. In the prospectus we remark the following paragraph:

"There is no reason why the rice of Brazil should not vie with that of the Carolinas; for being, when boiled, equally palatable and nutritious; its present market inferiority is entirely owing to the planter taking no pains whatever to improve its appearance in the husking, by selecting the most perfect grains for seed corn, and by transplanting the stalks when they have reached the height of 18 to 20 inches. Its prolific return is notorious, a single bushel not unfrequently yielding six hundred, and rarely less than four hundred bushels." [*Nat. Gaz.*

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The following is a translation of a paper that has been pasted on the walls of *Canton*, in consequence of the appearance of the cholera, which has committed awful depredations in China:

"A COARSE EXHORTATION TO AROUSE THE AGE.

"It is really thought that it is the year of the *waterkulpa*. There is now a great drought; calamities and misfortunes are heaped up; and it is a time of sorrow and grief. Prayers are of no avail; all (these misfortunes) proceed from ourselves. Our hearts have long been hardened, and we have been discontented with our lots; the uneradicated roots of error are many. Evil dispositions burst out like torrents overthrowing mountains, therefore heaven is annoyed with our repeated supplications. I offer advice to the men of the age. It is necessary they should examine themselves, and let no one think himself guiltless, and accuse others. Let all at once excite their hearts, and from their own feelings conjecture those of others, constantly be contented in your stations; cherish with the greatest care filial duty and brotherly love; then, the harmony of relations, friends, youth and manhood. In affairs do not indulge your own temper and wishes; depend not on talent and ability; presume not on riches and treat people contemptuously, and on high station to insult them. Be not covetous of ill-got wealth; think not on unlawful pleasures; presume not on strength and power; cherish not revengeful feelings. In all affairs, consult your heart and hold fast by reason. Constantly correct yourselves, and be indulgent to the thoughts of others; certainly you will then be able to repent and renovate yourselves, and draw back the favorable will of heaven; seek and do all this with real sincerity, and it cannot be but the calamities will be changed into blessings."

On the evening of the 10th day of the moon (7th instant) at 7 o'clock, the second son of old Mowqua, the Hong merchant known among foreigners by the sobriquet of Bardolph, was taken ill with cholera while at his hong. He immediately returned in a boat to his residence at Homan. Upwards of ten doctors were sent for to feel his pulse, but not one was able to cure him, and he died at 12 o'clock. His son, Loo-ying-ke, who is a military officer at the "Tiger's gate," arrived on the 12th of the moon at 1 o'clock, in a cruiser, to attend the shrouding of the body. It is the Chinese usage to dress out the corpse in the finest and warmest clothing that the person's circumstances will afford; the clothes are of the same fashion as those worn by the living. A shroud surrounds the whole, and is sometimes bound to the corpse with cords.

On the 14th of the moon (8th instant) after the rain had fallen, the Kwang-chow-foo ordered ten married women to sacrifice a sow at the south gate of the city. After the sacrifice, the sow's tail was burnt off, and it was sent to be nourished at the Hae-chang-sze, at Homan. The south gate was then thrown open to the public. The meaning of the Kwang-choo-foo in sending married women to sacrifice and worship is not understood by the people. Great numbers of married women have for several days past gone to worship at the south gate, but the manner of their praying is not known. An old fellow observed that the affair of shutting the south gate was utterly useless, as at Nankwan at No-nan, already more than 100 men had died of a complaint that has the same symptoms as cholera.

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Paganini, the famous fiddler on one string, is dead. He has left a fortune of seven millions of francs.

Gideon Lee has been nominated for congress by the Jackson party of New York city, to supply the vacancy occasioned by the resignation of Campbell P. White.

The London Gazette of September 23d, contains the following announcement: "The king has been graciously pleased to nominate and appoint Henry Stephen Fox, esq. now his majesty's envoy extraordinary and minister plenipotentiary to his majesty the emperor of Brazil, to be his majesty's envoy extraordinary and minister plenipotentiary to the United States of America."

The following parody of the king's speech is from the London Examiner, of September 13th, and entitled:

Copy of an unspoken speech.

My luds and gentlemen: I find, with great satisfaction, that you are all tired of this protracted session, and have wisely agreed to let the public business lie over until we meet again.

I have sent my brother Ernest to Kalisch, partly to be out of way, and partly to assure the foreign powers of my disposition to maintain the harmony which at present subsists between us. I am in great hopes that the general peace will be preserved, to say the truth, every body is too poor to go to war just now, and most people find enough to do at home, without employing themselves in things that *don't* concern them.

The Spaniards are still cutting each others throats as usual. You know that I have taken up the cause of the queen of Spain, and by —— gentlemen, we must try to get out of it the best way we can.

We have been trying to put down the slave trade a long time, and I'm sure if we hav'nt done it we have spent money enough about it.

I am pleased with the good behaviour of my Irish subjects. I am sure I don't wish to hang any of them, if the vagabonds would only be quiet.

Gentlemen of the house of commons: I am obliged to you for the readiness with which you voted the supplies; and the more so as I was—afraid at one time you would have put us all on short commons.

You have been lucky in borrowing a great deal of money at a very low rate. Whether this arises from the quantity of money in the country, or the number of fools who don't know what to do with it, is more than I know.

CHANGE IN THE EPISCOPAL CHURCH SERVICE. At the late general convention of the Episcopal church at Philadelphia, at the request of the house of clerical and lay deputies, the following opinions were given by the house of bishops, as to certain parts of the church service:

I. That in the confession in the daily morning and evening prayer, the people should follow the minister, not by paragraphs, as has been usual, but in the same manner as they unite in the Lord's prayer, the creed, and the confession in the communion service.

II. That in all joint acts, where the minister and people are to unite audibly, as in the confessions, the creeds, the Lord's prayer, and the last of the prayers for Ash Wednesday, the word amen should be pronounced by both the minister and the people; its use by the people alone being considered as then only proper when it is a response by them to an act of worship which has been audibly repeated by the minister only.

III. That there should be no prayer in the pulpit before sermon.

A COLLEGE HONOR WORTHILY CONFERRED. At the late Union college commencement, the honorary degree of A. M. was conferred upon John Patterson, of this city, a journeyman printer, whose mathematical attainment richly entitled him to that distinction. Mr. Patterson, who served his apprenticeship at Buffalo, came to this city some twelve years ago, where he has since worked, and is still working as a journeyman. He is now one of the best practical printers in the union. By devoting those hours of relaxation which most of us idle away, to severe study, Mr. Patterson has not only stored his mind with useful general information, but acquired a knowledge of mathematics which has won for him a degree from one of the most reputable colleges in the union. In addition to all this, with a family to support from his earnings, Mr. Patterson has garnered up about three thousand dollars, the fruits of patient toil and economy. Such an instance of industry and frugality combined with high intellectual aspirations, is worthy of the palmy days of Rittenhouse and Franklin. [*Albany Evening Journal.*

TRANSIT OF MERCURY. On Saturday, the 7th November, the planet Mercury will pass over the sun; the planet being in the afternoon of that day in inferior conjunction, and very near its ascending node.

Few persons in this country have seen a transit; the last of Venus took place in 1769, and of the four last of Mercury, that of May, 1799, was the only one that might have been viewed in New England—as those of 1802 and 1815 happened during the night, and that of May, 1832, was rendered invisible by clouds. Indeed, it is uncertain whether the first of the four was observed; even if the day was fair, it probably attracted little notice, as without the assistance of a telescope of considerable magnifying power, it could not have been seen.

The two transits of Mercury next after that now approaching, will occur in May, 1845, and November, 1848. Venus will pass over the sun in 1874 and 1882. [*Boston Daily Adv.*

No less than four clusters of spots are now visible on the surface of the sun, one of which is very large and extremely beautiful. They of course will soon disappear.

Professor Joslin, of Union college, has discovered that the comet which now makes its appearance in the heavens, has *two tails.* The Schenectady Reflector says—"Though there are on record some instances of comets having two or three tails, this is the first time in which any such phenomenon has ever been observed in connexion with the comet of Halley. We may expect a more particular account of this discovery hereafter."

A FATAL DUEL. The following is an extract of a letter from an officer on board the United States ship Delaware. It is dated Palermo, August 11th—We have just anchored here. We left Malta on the 2d, in the company of the English fleet, they left us last evening. On the 7th, at Gargenti, an unfortunate affair occurred between two of our gallant officers, one of whom was mortally wounded in the breast, and died in twenty-four hours, the latter is recovering.

EXTRAORDINARY AMPUTATION. A French surgeon, M. Gerdy, has recently amputated a man's lower jaw, from under the ears, in order to stop the progress of a gangrene which threatened death from suppuration. He states, that the patient presents scarcely any visible deformity, has all the *embonpoint* of health, expectorates freely and speaks very distinctly.

[*Georgetown Metropolitan.*

CENSUS OF TROY, N. Y. The following result is given in the Troy paper:

Our population on the first day of July last was sixteen thousand nine hundred and seventy-one. The population of Troy at the same date in 1830, five years since, was eleven thousand five hundred and fifty-six. The statement exhibits during the brief period of five years the most astonishing increase of five thousand four hundred and fifteen. The ratio of increase since 1830 has been at the rate of nearly 47 per cent.

LIABILITIES OF AN INCORPORATED COMPANY. An action was tried in the superior court, before chief justice Jones, in which the Camden and Amboy rail road company were defendants, and a Mr. Ralzamon Belknap was the plaintiff, to recover of the former the value of a trunk and its contents, entrusted to their care by Mr. B. for transportation to Philadelphia.

It was not contended for the plaintiff, that the property in question had been delivered to the especial care of any of the defendant's agents, or servants, but merely that he had it in his possession, and placed it in their office on paying his fare as a passenger to Philadelphia, and that while so situated it was lost or stolen.

On these grounds—and more especially because the company publicly advertised that they did not insure any property left in their charge, and would not be responsible in the event of loss or accident. Mr. Anthon, counsel for the defendants, insisted upon a verdict for his clients.

On the other side, however, Mr. Lord contended that although the defendants did give notice that they refused to be responsible for the loss of property falling into their possession in the regular course of their business operations, under the sanction and by the authority of their charter, yet their edicts were utterly futile, and of no avail, and they were liable, both in equity and law, for the loss or destruction, under such circumstances, of any chattles or goods belonging to other persons.

The learned judge, in his charge to the jury, took the same view of the law, (as applicable to the present issue), that was contended for by Mr. Lord, and, after several hours deliberation, a verdict of three hundred dollars damages, was returned for the plaintiff. [*N. Y. Transcript.*

PRESENT STATE OF JERUSALEM. M. Poujoulat, in a recent visit to that sacred city, describes its appearance as melancholy and dismal, a mass of dark stone houses, each surmounted with a dome, heaped together like tombs, divided into districts or quarters for Mussulmans, Arabs, Armenians, Greeks, Latins, Jews, &c. &c. The Jews still adore this reverend spot. Twenty aged females of this religion arrived there during M. Poujoulat's sojourn, each over 82, to prepare for themselves a tomb in the valley of Jehosaphat.

ENGLISH AND FRENCH FISHERMEN. The *Memorial Dieppois* of the 8th ultimo has the following: Fifteen or sixteen English fishing boats from Colchester have entered our port for the purpose of fishing oysters at Cape D'Ailly. Our authorities take no measures for keeping them away, nor do our fishermen complain, which may be considered a new example of toleration and good neighborhood towards the inhabitants of the English coarse, who, in a recent inquiry relative to the state of their fishery, bitterly complained of fishermen of Dieppe, Boulogne and Calais, for having fished off their coasts.

A FISH STORY. A late traveller gives a curious account of the predilection of the bipeds and quadrupeds among the Shet-

and islands, *for fish:* this kind of food being their principal, and in many cases, their only support. He says he was never more amused in his life, than by observing the proceedings of a Shetland family-cow, in regard to a *cod-head*, which had been assigned to it as a part of the evening repast. With an adroitness, the result of experience alone, it stripped off the external edible part, then coolly proceeded to lay open the internal stores of the skull, and finally made as complete a piece of work of it, as the most expert picker could have made of a fowl, with all appliances and means to boot.

GENERAL HARRISON. The New Orleans True American quotes the following passage from the Richmond Enquirer, October 20th 1813:

"General Harrison's detailed letter tells us every thing that we wish to know about the officers *except himself*. He does justice to every one, but to Harrison—and the world must, therefore, do justice to the man who was too modest to be just to himself."

Very well said. Just sentiments which the author will no doubt adhere to. General Harrison's character has never been paid a finer compliment. [*Richmond Whig.*

JESSE HAWLEY. *From the Buffalo Whig and Journal. Erie canal*—WHO CONCEIVED IT? This question has just been agitated in a way we like to see: that is, by living proof of the claims of one whom we have ever deemed entitled to the honor of first proposing a canal from Buffalo to the Hudson. That individual is Jesse Hawley, esq. now a resident of Rochester. Mr. Hawley, after letting his claims sleep so long, in our view, has at length collected a mass of testimonials upon the subject, and published them in the Monroe Democrat. The facts these contain, though new to most of the reading public, are not so to us. We have long been familiar with them, having often heard most of them from Mr. Hawley himself, when questioned upon the subject.

Mr. Hawley claims to have first called public attention to this subject, in a series of essays that he wrote, and which were published in the Genesee Messenger, at Canandaigua, in 1806-7, under the signature of "*Hercules.*" These essays will be found in Dr. Hosack's Memoirs of De Witt Clinton, published at New York in 1829. We believe and ever have, that these numbers contain the first published proposition ever put forth, for such a work as the Erie canal—and we hope, should it prove finally true, that henceforth the credit of a suggestion so incalculably important in its results to New York and the boundless west, will be awarded to one who has too long been robbed of his just reward, by the crafty designs of a few, and the easy credulity of the many.

The Albany Argus of Monday states that the New York canal board having caused surveys and estimates to be made for the improvement of the Erie canal, and the engineers having submitted their reports, the board on Friday last proceeded to a final decision on the extent of the enlargement. By their resolutions it appears that the enlarged canal is to be seven feet deep, and seventy feet wide at the surface; and the locks are to be 110 feet long between the quoin-posts, and 16 feet wide in the clear. The present canal is four feet deep, and forty feet wide at the surface, and the present locks are 90 feet long between the quoin-posts, and 15 feet wide in the clear.

Thus, (continues the Argus) "this great question has been definitively settled, after mature deliberation, and a full expression of the public sentiment in relation to it. As the work will be prosecuted chiefly during the winter months and while the navigation is suspended, its completion cannot be expected in a less period than ten or twelve years. Then, with its increased width and depth, its walled sides, its extent and its vast commerce, it may rank among the wonders of the age. The improvement, we understand, is estimated to cost about $12,000,000. The canal board will proceed with the doubling of the locks, with all practicable rapidity, during the next winter"

The cost of the present work, which is thus proposed to be enlarged, was about $9,000,000.

GENERAL NAVAL ORDER. As a mark of respect to the memory of captain *Wolcott Chauncey*, late of the United States navy, who died at Pensacola, on the 14th inst. while in command of the navy yard and station at that place, the flags of the navy yards, stations and vessels of the United States navy will be hoisted half mast, and thirteen minute guns fired at noon on the day after the receipt of this order.

Officers of the navy and marine corps will wear crape for thirty days. MAHLON DICKERSON.

Navy department, 27th Oct. 1835.

ELECTIONS.

PENNSYLVANIA.

An extra from the office of the Harrisburgh Intelligencer gives returns from all the counties in the state but two, Warren and Venango, according to which the vote stands,

For Ritner	91,861
Wolf	61,856
Muhlenberg	37,826
Ritner's majority over Wolf	30,025
Do. do. over Muhlenberg	54,055

The house of representatives of the state legislature, as far as heard from, stands as follows:

Ritner members (opposition)		70
Wolf members	16	
Muhlenberg members	13	29
Anti-Van Buren majority		41

The house consists of 100 members—only one to be heard from.

The senate consists of 33 members elected for 4 years; eight of whom are elected this year, and seven out of the eight are opposed to Mr. Van Buren. A revolution indeed.

[We intend hereafter to publish full returns of the late election, by counties, also comparative estimates of the Wolf and Muhlenberg parties, and a variety of things of interest to politicians.]

In the year 1825, when a vote was taken throughout the state on a proposition for a convention, there were

For a convention	44,488
Against it	58,892
Majority against	14,404

The votes at the recent election, as far as they are known, stand thus:

For a convention	48,545
Against it	43,324
Majority for	5,221

VERMONT.

On the 37th ballot in the legislature of Vermont for governor, the votes stood thus:

For Palmer (anti-masonic)	102
Bradley (Jackson)	70
Paine (whig)	40
Jannison "	10

The attempt to elect a clerk was also unsuccessful.

NEW JERSEY.

The election in this state has gone for the administration—by default. Bergen, Sussex, Warren, Morris, Somerset, Hunterdon, Burlington, Monmouth, electing 9 members of the council and 34 of the assembly for Jackson; and Essex, Middlesex, Salem, Cumberland and Cape May, electing 5 members of the council and 16 members of the assembly, whigs.

GEORGIA.

The returns from 86 counties for governor are as follows:

Schley	30,272
Dougherty	28,570
Majority for Schley	1,702

For congress, from 82 counties, we have the following aggregate:

Glascock	30,100	Foster	27,579
Cleveland	29,717	Wilde	27,558
Jackson	29,555	Gamble	27,363
Holsey	29,405	Beall	26,877

The majority is for the "union ticket." The counties to be heard from will not materially vary the result.

OHIO.

There was a whig majority in both branches of the legislature last year; and in the present there will be at least as large a majority in favor of the administration. The election caused but little animation—the votes of the whig party being exceedingly short.

LEGISLATURE OF TENNESSEE.

A MOST CUTTING REBUKE.

"Agreeably to orders, certain resolutions were introduced into the legislature of *Tennessee*, in the true modern style, directing their senators in congress to vote for '*expunging*' certain resolutions from the journals of the senate, agreeably to Mr. Benton's move at the last session. The proposition was promptly met, and as promptly ordered *to be laid on the table*, where they will lay till doomsday.

"The vote to lay the 'expunging resolutions' on the table, was as follows:

"YEAS—Messrs. Allen, Anderson, of Marrion, Anderson, of Jefferson, Beatty, Bewly, Bratcher, Brown, Bullock, Campbell, of Washington, Campbell, of Rhea, Campbell, of Smith, Caruthers, Churchwell, Cleaveland, Cullom, Dean, Fowlkes, Frazier, Gardner, Gentry, Hall, Harrison, Hunt, Hurst, Johnson, of Greene, Johnson, of McNairy, McLain, Martin, Miller, Millikin, Netherlend, Parker, Ready, Reneau, Rogers, of Hawkins, Rogers, of Carroll, Searcy, Snodgrass, Stockton, Strother, Tarver, Thomas, Tunnell, Watterson, West, Whiteside, Williams, of Carter, Woolfolk, Wright and Mr. Speaker Foster—50.

"NAYS—Messrs. Boddie, Buchanan, Crocket, Davenport, Estill, Gordon, Guild, Hancock, Hickman, Humphreys, Jones, Mabry, Nicholson, Northsun, Overton, Pavall, Powell, Robertson, Smith, Topp, Turney, Williams, of Stewart, Wilson—22."

ANOTHER VOTE OF MR. VAN BUREN.

From the New York Evening Star.

At the session of our legislature in the year 1820, governor Clinton, in the conclusion of his message, earnestly entreats the interference of the legislature to prevent Missouri being admitted as a state into the union, without depriving the territory of the right of holding slaves. The subject was referred to a com-

mittee, and resolutions introduced in conformity with the suggestions of governor Clinton, which, after an animated debate in opposition to proposed amendments by general Root, were finally passed and sent to the senate for adoption. The resolution was as follows:

WHEREAS, *the inhibiting the further extension of slavery in these United States, is a subject of deep concern to the people of this state; and whereas, we consider slavery as an evil much to be deplored, and that every constitutional barrier should be interposed to prevent its further extension; and that the constitution of the United States clearly gives congress the right to require new states not comprised within the original boundaries of these United States, the prohibition of slavery, as a condition of their admission into the union—therefore,*

RESOLVED, (if the honorable senate concur therein), *That our senators be instructed, and our representatives in congress be requested to oppose the admission as a state, into the union, of any territory not comprised as aforesaid, without making the prohibition of slavery therein an indispensable condition of admission.*

On the 20th of January, 1820, the senate took up the resolution and passed the same *unanimously*, the following senators being present—Messrs. *Adams, Austin, Barnum, Barstow, Bowne, Childs, Dudley, Dayton, Ditmiss, Evans, Frothingham, Hammond, Hart, Livingston, Loundsberry, McMartin, Mooers, Mallory, Moore, Noyes, Paine, Ross, Rosencrantz, Skinner, Swart,* VAN BUREN, *Wilson, Young*—28.

JOSEPH RITNER.

From the National Gazette.

From very intelligent gentlemen, to whom a long personal acquaintance and near neighborhood with our governor elect, Mr. Ritner, have afforded the best opportunities of observation, we have received details concerning his character and opinions, which confirm the general hope that nothing will be wanting in the executive department to consummate the *independence* of Pennsylvania.

Mr. Ritner is a native Pennsylvanian; a little beyond fifty years of age; of robust frame and portly carriage; with good features and an expressive eye. His mind is naturally strong, clear and active. He was not "classically educated," but received general and good instruction in the English branches; and by enlarged intercourse with mankind and a long public career, he has much improved his faculties, and collected a fund of useful information.

He was six years or more in the legislature of Pennsylvania, and during several sessions, speaker of the house of representatives, in which capacity he won the esteem and confidence of all parties. In the great conventions that were held some years ago in this state, he alike distinguished himself by sound sense and manly decision. He took a principal part in the convention which roused the giant spirit of Pennsylvania internal improvement, and he gave constant support to the great canal. He opposed, it is true, some of the lateral canals, originally; upon the ground that common prudence—good policy—required the completion of the great artery before the others were commenced. Some of the best of these he early advocated, The moral and social character of Mr. Ritner is wholly unexceptionable.

His personal friends and neighbors know that he is well affected to a *general system of popular education*. On this head, his sentiments have been entirely misrepresented in the reckless strife of politicians. It is certain that he will give all personal and official aid to every salutary plan for that paramount object. Those who are likely to have the freest access to him and most weight in his councils, earnestly maintain the cause of popular education, and possess ability to devise a judicious, efficient system. He is, himself, a member of the board of trustees of Washington college, in the county of Washington, and one of the most diligent and serviceable of that body in all its functions.

With regard to *state* and *national* politics, his information is believed to be comprehensive and accurate; he understands both things and *men* in and out of Pennsylvania. He has that opinion of the kitchen cabinet, and of its aims and auxiliaries, which every patriotic and reflecting citizen should entertain. He holds it in contempt and aversion, and repels its designs and influence. He deeply reprobated the removal of the public deposites from the bank of the United States, and the protest of "the general" against the constitutional powers of the senate. He disapproved of the whole selfish and vindictive war on that institution and the national currency. In short, he converses as if he would labor to emancipate Pennsylvania entirely from the thraldom and schemes of the cabal at Washington, and would neglect none of the means available for her higher elevation and prosperity, whatever disappointment and jealousy the full, untrammelled employment of those means might occasion elsewhere. Much, indeed, for the aggrandizement and honor of Pennsylvania, is within the power of the new governor and the new majority in the legislature.

IMPORTANT DECISION TO MERCHANTS.

OPINION OF THE COURT DELIVERED BY JUDGE BALDWIN.

The United States } vs. Halberstadt. } On writ of error from the district court.

The case in the district court was an action brought by the United States to recover from the defendant, a penalty of one hundred dollars, for removing an empty cask which had contained imported spirits, before the marks and numbers which had been put thereon, pursuant to the provisions of the collection act of 1799, had been defaced as directed by the 44th section thereof.

The case was submitted to the jury, who found a special verdict, "that the defendant did remove the cask described in the declaration, without having the marks erased therefrom, and had purchased the same from some person unknown to the jury," on which judgment was rendered for the defendant.

The only question made at the bar is whether the penalty prescribed attaches to the purchaser of such empty cask. The forty-fourth section of the law provides—that on the sale of any empty cask which had contained imported spirits, and before the delivery to the purchaser, or any removal thereof; the marks and numbers which shall have been set thereon, shall be defaced and obliterated in presence of an officer of the customs, at which time the certificate which ought to accompany such cask, shall be returned and cancelled. These are the directory parts of the law, prescribing what shall be done; the clause which inflicts the penalty is, "And every person who shall obliterate, counterfeit, alter or deface any mark or number, placed by an officer of inspection, upon any cask containing spirits, or any certificate thereof; or who shall sell, or in any way alienate or remove, any cask which has been emptied before the marks and numbers have been so defaced, in presence of an officer, or who shall neglect or refuse to deliver the certificate issued to accompany the cask, of which the marks and numbers shall have been defaced, on being required by an officer of inspection of the customs, shall forfeit one hundred dollars." 3 vol. U. S. laws, 177.

If the penal part of this section is alone considered, the words "every person who shall remove," &c. would comprehend the purchaser as well as the seller of an empty cask; but in construing a penal statute, the part which directs the performance of an act, must be connected with that which imposes the penalty for its omission, so that it shall be imposed only on the delinquent party.

"It is (also) unquestionably a correct legal principle, that a forfeiture can only be applied to those cases, in which the means prescribed for the prevention of the forfeiture may be employed." 4 Cr. 363

The first inquiry is this, what will prevent the forfeiture, next by whom the acts directed to be done must be performed; and lastly, whether they can be performed by the purchaser.

The first act in order of time, is notice to some officer of inspection or of the customs, to attend at the time of defacing the marks and numbers. 2. The defacing them in the presence of such officer. 3. Returning and cancelling the certificate; if these acts are done, there can be no forfeiture for the removal of the cask, as every requisition of the law is complied with.

Though the law does not designate the seller, or owner of the cask as the person who is to do these acts; it does so by necessary implication from the words used, "that on the sale of any cask," &c. "prior to the delivery thereof to the purchaser, or any removal thereof," the defacing the marks, and the return and cancelling the certificates, are simultaneous acts, which it will be seen by a reference to the 41, 42 and 43 sections, must be done by the owner or seller.

The 41st section directs the surveyor, or chief officer of inspections, to give to the *proprietor, importer* or *consignee*, a particular certificate, which shall accompany each cask of spirits, the form of which is prescribed.

The 42d section directs the inspectors to make entries of all certificates.

The 43d section directs that on the sale of any spirits, the certificates shall be delivered to the *purchaser* thereof, on pains of forfeiting fifty dollars for each certificate which is not so delivered. And if any cask containing spirits is found unaccompanied with the marks and certificate, in the possession of *any person*, it shall be presumptive evidence that the same is liable to forfeiture.

As the certificate then must be in the hands of the owner of the spirits, and the cask which contains them, until it has been emptied of its contents, and must be delivered up and cancelled upon the sale of the cask and before its delivery to the purchaser, or removal; it must be done by the person who is bound to have the certificate in his possession with the cask; he is also the person who is to give notice to the officer, and deface the marks in his presence. This person is therefore the owner or seller, who must retain the certificate till the sale, if of a full cask he must deliver it to the purchaser; if an empty one, he must cancel it, or it must be done by the officer before delivery or removal. These provisions of the law point to the owner or seller, as plainly as if he was especially named: they also necessarily exclude the purchaser, as he can in no event be entitled to the possession of the certificate; he cannot return or cancel it; and as the notice to the officer, and defacing the marks, must precede the delivery or removal, he can have no possession of the cask for such purpose.

There is, therefore, no one directory provision of this section, which the purchaser is enjoined to perform, nor any duty imposed on him, the omission of which can be deemed a violation of the law; but the law does apply directly to the owner or seller, on whom every duty is enjoined, who has it in his power to perform every act required, and on whom the penalty for

omission can and ought to be visited. It would be a severe construction of the penal part of this law, to attach the forfeiture to a purchaser, when he had not the means of avoiding it in his power:—such construction ought not to be given, unless the words are too plain and imperative to be explained, or applied according to the principles of justice. Those used in the penal clause are not of this description—they are, "And every person who shall sell, or in any way alienate, or remove any cask, &c. which has been emptied of its contents before the marks have been defaced as aforesaid," "or who shall refuse or neglect to deliver the certificate, &c. when thereto required by an officer of inspection," shall forfeit one hundred dollars—for what it may be asked. For selling, or in any way alienating, or removing, the cask in violation of the previous directions, which are applicable exclusively to the owner or seller. The prohibition to remove, before defacing the marks, and the penalty for the removal, must have been intended to apply to the same person, not only from the whole scope of the 44th section, but the provisions of the 43d. The latter inflicts a forfeiture of both cask and spirits, if a full cask is found in the *possession of any person*, unaccompanied with the marks and certificate; this forfeiture attaches to the *article*, in the hands of the purchaser. Now, if congress had intended to attach the pecuniary forfeiture, to the purchaser of a cask found in his possession empty, with the marks not defaced, a similar provision would have been inserted in the next section. Or had the penalty been intended to attach to purchaser and seller alike, the clause would have been "every person who shall sell or in any way alienate, *purchase*, or remove," and the directory part would have contained a prohibition to the purchaser to receive the cask, in which case the penalty would have been incurred by his disobedience. This omission to provide for the case of any other than the owner or seller of the cask, is a clear indication that the sense of congress was to include no others within the penal enactments; more especially when taken in connexion with the last, providing for the neglect or refusal to deliver the certificate, which can in no case apply to the purchaser of the empty cask.

Of the four acts which are the constituents of the offence, selling, alienating, removing, refusing or neglecting to deliver the certificate; there are three, which can be done only by the owner or seller. The removing may be done by the purchaser, but connecting the word "remove" with the context, as well as the two sections, it appears to refer to the same person, who sells or alienates. The clause of the 44th section imposing the forfeiture, follows the prohibitary clause so closely, as to clearly point out their connexion and dependence; every person who removes the cask, incurs the penalty, for not defacing the marks "prior to the delivery thereof to the purchaser, or any removal thereof," or not returning and cancelling the certificate. There is no forfeiture for purchasing, or having in possession, an empty spirit cask, with the marks on it undefaced; the law does not look beyond the sale, or prohibit any act, after the cask is delivered to the purchaser; every duty enjoined is antecedent, and a forfeiture is incurred by every omission, but none can be incurred where no duty is enjoined. The removal merely is no offence, it must be a removal before the marks are effaced, as directed by the law; the means of preventing the forfeiture can be used by the seller, but not by the purchaser; and the latter ought not to be visited with the default of the former, unless the law would become inoperative by confining it to the owner or seller. Every object in view, seems to be fully effected, by the imposition of one forfeiture for one offence, which is constituted by the one act of removal; by adopting a different construction, the forfeiture would attach to the owner, his agent in selling, the laborer who would remove it from its position, the drayman, the purchaser, as well as every person through whose hands the cask might pass from time to time. The words of the law do not admit of such successive and accumulative forfeitures; on the other hand, their import is inconsistent with such intention: the phraseology is peculiar—"or who shall sell, or in any way alienate or remove." It is very clear that the person who sells, or in any way alienates or removes, can be no other than the seller—and that none others can have been within the scope of these words, which were evidently used in order to prevent any evasion of the law by the owner, in alienating or in any way disposing of, removing, or parting with the possession of the cask before complying with the law—although he had made no actual sale of it.

This view of the law makes every word operative, it affixes the penalty to the person who can prevent the commission of the offence, and is the delinquent on whom it ought to be imposed. To extend the forfeiture to the purchaser who cannot sell, or in any way alienate the cask, is not required by the terms of the law, and would bring within its operation, a case not contemplated.

This view of the 44th section, is confirmed by the judicial construction of the 43d, in the circuit and supreme court.

The first clause directs the certificate accompanying a full cask, to be delivered to the purchaser; it is therefore held that the clause imposing the forfeiture, if it is found in the possession of any person without the certificate, refers to the person who has possession as purchaser.

The forfeiture does not attach, if the casks are in possession of a wrong doer, and is incurred only by a violation of the special provision of the law, by a party who has it in his power to comply with its requirements, and all the constituents of the offence must exist in the case. 1 Paine 510, &c. 12 Wh. 487. 10 Wh. 424.

This is considered a highly penal statute, which is not to be extended beyond its express letter, by any deduction from its supposed policy, or be so construed as to impose a duty which the party could not perform. 10 Wh. 424. 5. And the part imposing a forfeiture, will not be enlarged beyond the provisions, for the violation of which it is imposed: 4 Cr. 362. 2—or by the acts or omissions of persons over whom the party could have no control. Ib. 365.

The same construction has been given to the 51st section, which imposes a forfeiture of any spirits, which are removed, before the quantity, quailty and proof shall have been ascertained and marked, as directed by law: the removal which subjects the owner to a forfeiture, must be made with his consent, or some persons employed by him. 4 Cr. 363. S. P. 10. Wh. 424. 12. Wh. 490.

In the application of these rules to the penal part of the 44th section, it must be referred to a removal made by the owner or seller, from his to the possession of another in consequence of a sale, or some way or mode of alienation or delivery, to a purchaser or alienee, and not to the person who receives it after a purchase.

The judgment of the distrct court is therefore affirmed.

TEXAS.

From the Tallahassee Floridian of October 10.

The following extract of a letter, dated the 8th of September, 1835, on the San Jacinta river, in Texas, for which, we are indebted to the politeness of a lady, will be read with deep interest. The author is a respectable gentleman, personally known to most of the readers of the Floridian, in Middle Florida, a witness of the scenes, and a participator of the events he describes; his narrative is entitled to the fullest credit.

Lynchburgh, on San Jacinta river, Texas, Sept 8th, 1835.

"I do not think it would be prudent for you and our family to come to Texas, until the affairs of the country assume a more peaceful aspect.

"Santa Anna has applied to the priests for two millions of dollars, and six thousand men, to put down the rebels of Texas (as he styles us). We are preparing for war in every part of Texas—not PARTISAN war, but CONSTITUTIONAL war, as did our forefathers in the revolution.

"A grand convention is to assemble at San Felipe on the 10th of October next. The members will be something like 50 in number, from all the districts.

"I have been returned a member by a large majority, in favor of ENTIRE SECESSION and absolute independence of the Mexican government, be it what it may; republican, centralism or imperialism.

"Our position is at this time extremely interesting to the U. States, and in fact to all the powers of Europe, who have relations with the Mexican government. A provincial government will be immediately formed, and a regular army of 5,000 men raised and equipped to take the field.

"*We look upon our independence as absolutely certain.* We have now the command of all the harbors in Texas, and have driven out every garrison from the interior of our fine country. Some 1,500 troops have been sent against us, but they have (unexpectedly) returned; being afraid to move against our riflemen, to the amount of 300, or more. They have sent to Mexico for a reinforcement, and Santa Anna has pledged himself to the priests to head the army in person. Col. Austin has just returned from Mexico, where he has been in prison for the last two years; he has united all parties. We have just received news of a victory obtained by one of our small vessels (the San Felipe) in the successful repulse and subsequent capture of the Coreo, captain Thompson. The engagement lasted about an hour, when the naval representative of Santa Anna lowered his peak and hauled down his colors himself; the all-brave Mexicans having previously deserted their posts and gone down into the hold. This Thompson has been the scourge of our coast and bays. We are now fitting up two other vessels to guard our own coast. In fact, although no war has been declared, we are in a complete state of warfare, and in six weeks expect to give to the world a Declaration of Independence. So soon as this glorious event takes place, we shall send an agent to Washington, to solicit an acknowledgment of our independence: but in the mean time, we know of at least 5,000 soldiers, principally riflemen from Kentucky, Tennessee, &c. who are only waiting for the event.

"Every one who assists, whether on land or at sea, will be munificently rewarded by the Texas republic in the fairest land under the finest climate in the known world. I have been so much engaged lately in political meetings, committees of safety and correspondence, &c. &c. that I have had time for little else; in fine, the whole country is only alive to one single subject, liberty or death; for such we will get if we do not turn the tables on Santa Anna and his reformed priests. I think the Kentucky boys will play the shaven crowns a sharp game if they take any of them. God save the mark. My own affairs are going on as well as I can expect, the mill stops, of course, on muster days, drill days, rejoicing days for victory, &c. but all will soon be quiet, and then we shall reap a fine harvest."

FROM TEXAS.

The New Orleans papers, received by yesterday's mail, put us in possession of late and interesting information from the

neighboring Mexican province of Texas. It appears that Santa Anna, the dictator of the "republic," is about to carry into execution the threats which he has heretofore uttered against Texas for its resistance to his political views, and has sent an armed force, for the purpose of reducing the province and its sturdy republican population under his sway. Besides the interest which is naturally felt in the United States from the proximity of the scene of contest to our southern border, and from the character of the contest itself, the occurrences now transpiring there assume a deeper interest from the circumstance that the welfare of many citizens of this country, who have emigrated hither, is involved in the issue. We observe that meetings were to be held in New Orleans and Nachitoches, for the purpose of rendering assistance to the Americans in Texas. These measures, although they have reference to such aid as the parties may render in their individual capacity, appear to be taken with a degree of publicity which will probably make them the ground of complaint to our government on the part of that of Mexico, as an unwarrantable interference by our citizens in the affairs of another nation. It is even said that appeals for succor have been addressed to the executive of the United States, but this we can scarcely credit. Earnestly as we may wish to see the Texians successful in the present struggle, it is a contest in which we can no more rightfully take part than in those which distract Buenos Ayres or Peru. In a comment on this subject the National Intelligencer justly remarks—"If people choose to leave their own country to settle in a foreign land, they must abide the consequences of their own act. If they get embroiled with the government which they have elected to live under—even if it be in resisting oppression—they cannot call on the government of the country which they have abandoned to come to their aid or succor."

From the New Orleans American, October 13.

By the steamer Ouachita, arrived this morning, we received the following in an extra sheet of the Red River Herald.

A meeting of the friends in Texas is called, to be held in this city this evening, and measures will be adopted to render timely assistance to our brothers in Texas.

Highly important from Texas.

War in Texas—Gen. Cos landed near the mouth of the Brasos with 400 *men.* Isaac Parker has just arrived from Texas, bringing the intelligence that gen. Cos has landed near the mouth of the Brasos with 400 men, with the intention of joining the 700 federal troops stationed at San Antonio de Bexar, and marching upon the people in Texas. He has issued his proclamation, "declaring that he will collect the revenue, disarm the citizens, establish a military government, and confiscate the property of the rebellious." Messrs. Johnson and Baker bore the express from San Felipe to Nacogdoches. Stephen S. Austin has written to several citizens of Nacogdoches, that a resort to arms is inevitable.

They have hoisted a flag with "The constitution of 1824" inscribed on it, and two hundred freemen gathered around it, determined to stand or fall with it.

We subjoin the following letter from general Houston to the gentleman who brought the intelligence:

San Augustine, Texas, 5th October, 1835.

DEAR SIR: At your request I hand you a memorandum, that you may be informed of our situation. *War in defence of our rights, our oaths and our constitution, is inevitable in Texas!*

If *volunteers* from the United States will join their brethren in this section they will receive liberal bounties of land. We have millions of acres of our best lands unchosen and unappropriated.

Let each man come with a good rifle and one hundred rounds of ammunition—and come soon.

Our war cry is "liberty or death." Our principles are to support the constitution, and *down with the usurper!!* Your friend,

SAMUEL HOUSTON.

To Isaac Parker, esq. present.

We have no time to make any comments. The people of the United States will respond to the call of their brethren in Texas!

—

Those gentlemen friendly to the rights of free and republican governments, are requested to meet at the Red River Exchange, on this evening, at half past seven o'clock, to take into consideration the situation of their fellow countrymen in Texas.

Natchitoches, October 7, 1835.

From the New Orleans Bee, Oct. 14.

We subjoin two documents politely furnished by a friend containing the latest advices from Texas, which is daily assuming a more interesting attitude for those of our citizens who are connected with it by property or friends, by the feelings of liberty and general enthusiasm in the course of independence and prosperity.

We need only state that most of the departments or jurisdictions of Texas have elected deputies to the general consultation to be held in Washington—a good name as a remembrancer and inciter in the cause of revolutionary independance—on the 15th inst. and that their objects may be of a more decisive and determined kind than they had been led to suspect. With Zavala and Austin at their head, the Mexicans and Americans in Texas need apprehend little danger in their struggle for freedom and independence.

But shall the citizens of the United States, in their individual capacity, remain listless spectators of eventful efforts like those almost certain to occur in Texas before a few months shall have elapsed?

To the people of the jurisdiction of Columbia.

"WAR is our only resource, WAR is upon us," so says the committee of Austin; and the fact is established beyond a doubt. Heretofore a difference of opinion has unfortunately existed amongst us; now the evidence is so clear, so convincing, that an honest difference of opinion can no longer exist. Your committee therefore have no hesitancy in declaring that he who says that there is no just cause to apprehend danger, and recommends a supine course, is a *traitor*, and as such should be punished. Fellow citizens, let not a former difference cause or continue an estrangement. We have a common cause and a common foe, and we should be united. General Cos has just landed at Copeno, with 400 soldiers and munitions of war. His object is to unite with the forces of San Antonio, and our policy is to intercept him before the union takes place, by so doing we will fall upon the enemy divided, and if we capture the forces of Cos we will gain arms and munitions of war; and the news of Cos's defeat will be the signal for the surrender of San Antonio into our own hands; in addition to this it is better that we should carry the war into the enemies country, for then we shall be enabled to gather the present crop. Again, the military, the tools of the despot, have lately made a treaty with the Camanches, and other tribes of the savages, and have engaged them to fight against us, and should we defeat Cos before they take the field they will most assuredly desert their fallen allies. All these reasons calling upon us so loudly, urging us so strongly, let us take the field. We call upon you in the name of your country, in the name of your wives and children, in the name of every thing that is dear to you, in the name of LIBERTY itself, for an immediate and general turn out.

Whilst Cos is disembarking his troops, whilst he is sending for teams to transport his munitions of war, we will have time to take our station on the road between him and San Antonio in which event victory will be certain. All Texas has been informed of the plan of war, and many of her citizens are now marching to the principal place of rendezvous (James Kerr's on the Labacca). A large company have engaged to leave Brazoria on the 29th inst. at which time and place every patriot should present himself ready for action.

Fellow citizens, we have now an opportunity of opening the war with a glorious triumph, a triumph which in its ultimate consequences will prove the salvation of Texas.

By defeating Cos, San Antonio will fall as a matter of course—and then there will not be a formidable division of the despot's troops in a thousand miles of Texas, months will roll round ere they can get here, before which period you will be armed, prepared and disciplined for war; and in a situation to defy any force which the despot can send against you.

Fellow citizens, be not mistaken in regard to the cause which you have espoused; or the foes to whom you are opposed. Your cause is a good one, none can be better, it is republicanism in opposition to despotism; in a word it is liberty in opposition to slavery. You will be fighting for your wives and children, your homes and firesides, for your country, for liberty. Look back upon the hardships, the fatigues, the privations and dangers which you suffered in settling and reclaiming the wilderness of Texas; and say whether you are willing to forego all the benefits and blessing of civilization, and again plunge into another wilderness to encounter the same difficulties; consider your present condition and the bright prospect before you, and say are you prepared to yield all the advantages which they offer to the hireling slaves of a despot. Behold your wives and daughters, are you prepared to yield them up to the embraces of a brutal soldiery; if not, arise at once and crush your foes before they concentrate and fortify within your border.

Your foes (the foes of liberty) are composed of the clergy and military, (unhallowed association)! headed by a military chieftain, a man whose character during a long and eventful career, has been marked by every act that characterises an ambitious chief, who to elevate himself would destroy the liberties of his country. Such are our foes, and such their leader. More than one-half of Mexico is on your side; one of her most distinguished sons, Zavala, sought an asylum in Texas, and will be found in the ranks with you; several others together with the vice president, have been arrested on their way to Texas. The despot dare not come himself or send a large force to Texas, for fear the republicans will rise against him in the interior; thus you perceive our situation will be far from being so desperate as the disparity of our numbers would indicate.

Fellow citizens, again we summon you to arms. Let us take the field, defeat Cos, take San Antonio, drive every soldier from our limits; and thereby place Texas in a situation to become ere long what she is destined to be, a land of agriculture and of commerce, of laws and liberty, the pride and boast of our lives, and a legacy of price unspeakable to posterity.

B. T. ARCHER, *chairman*,

WM. T. AUSTIN, *secretary*.

San Felipe, September 19, 1835.

DEAR SIR: War is upon us—there is now no remedy; the answer of Cos is so positive that the individuals who have been demanded must be given up, that the people must unconditionally submit to whatever the government chooses to do for them—he lays down the principle that the general government have the right to force us to submit to any reform or amendments, or alterations that congress may make in the constitution, &c. This is impossible—we had better leave the country at once, for we shall be under the Cos doctrine, with-

out any rights or guarantees of any kind. I therefore think that war is inevitable; we must prepare. What do you think of raising a volunteer corps to protect the consultation; and have it ready without delay? I think it probable Cos will attack the people on Gaudaloupe, in a short time they expect aid and ought to have it.

I shall send to Nacogdoches immediately. Yours,

S. F. AUSTIN.

W. D. C. Hall, esq.

Mexico and Texas. Since receiving on Saturday the documents elsewhere concerning the contemplated movements in Texas on the part of the American population there resident, we were favored with private information direct and later from Metamoras.

This confirms the intelligence conveyed by the documents from Colombia; and adds that though general Cos had boasted of having 2,000 men under his command, he had scarcely 400; for those who had been imported previously into Texas, have been discomfited at St. Antonio, or had deserted afterwards. Cos had received orders from Santa Anna to fix his head quarters at San Antonio; and there rally his troops for the invasion of Texas. Our correspondent states that Santa Anna had written a letter to Metamoras, boasting that in less than two months he would overrun and conquer the whole of Texas; and shrewdly adds—although we consider this a mere gasconade, yet we wish he should have the temerity to pay the Texians a visit; and we should soon rid the republic of this would be Napoleon.

The Texians are not idle in their preparations to give a warm welcome to their invaders. On the 23d ult. 700 of them had left Brazoria for San Antonio, with a firm determination to capture it; and to place the present viceroy don Remon Masquia, at the head of the government of the provinces. The next arrival from Texas may therefore bring us tidings of war; and the glorious news of a victory obtained by the American Texians over their oppressors: so that the general consultation may have to digest the plan of a constitutional government for Texas as a free, sovereign and independent state.

We have also learned by the arrival yesterday of the Manuela in 7 days from Galveston, that the inhabitants of that place had also armed themselves to aid the citizens of Brazoria, against whom general Cos marched from San Antonio.

CIRCULAR.

From the committee of safety of the jurisdiction of Austin.

Information of the most important and decisive character has just been received from Bexar, from unquestionable authority, which in the opinion of this committee, calls for the prompt attention of the people. The substance of this information is, that general Cos was expected at Bexar, on the 16th of this month, with more troops, that he intended to make immediate attack on the colonies; that there was a plan to try and foment division and discord among the people, so as to use one part against the other, and prevent preparation, and that the real object is to destroy and break up the foreign settlements in Texas. This committee have no doubt of the correctness of this information and therefore recommend—

That the people should maintain the position taken by them at their primary meetings, to insist on their rights under the federal constitution of 1824, and of the law of the 7th of May of that year, and union with the Mexican confederation.

That every district should send members to the general consultation, with full powers to do whatever may be necessary for the good of the country.

That every district ought to organize its militia, where it is not already done, and have frequent musters; and that the captains of companies make a return without delay to the chief of his department, of the force of his company, the arms and ammunition, in order that he may lay the same before the general consultation of Texas. Volunteer companies are also recommended.

This committee deems it to be their duty to say, that in its opinion, all kind of conciliatory measures with general Cos and the military at Bexar, are hopeless and that nothing but the RUIN of Texas can be expected from any such measures. They have already, and very properly been resorted to without effect.

War is our only resource. There is no other remedy but to defend our rights, ourselves and our country, by force of arms. To do this we must unite—and in order to unite, the delegates of the people must meet in general consultation and organize a system of defence, and give organization to the country, so as to produce concert. Until some competent authority is established to DIRECT, all that can be done is to recommend this subject to the people; and advise every man in Texas to prepare for WAR, and lay aside all hope of conciliation.

S. F. AUSTIN.

San Felipe, September 18, 1835.

ABOLITION TROUBLES.

The city of Boston, and Utica, in New York, have become the scenes of troubles on account of the abolition question.—We annex the particulars which have reached us:

From the New York Star, Oct. 23.

RIOT AT BOSTON—GARRISON, THE ABOLITIONIST, SEIZED.

We learn by the Providence boat, that a mob assembled at the abolition office. The Transcript says—

Three o'clock. A crowd of three or four hundred persons are assembled in front of the anti-slavery office. The mayor has just addressed them—assuring them that he knows that Thompson is not in the city, and will not be present at the anti-slavery meeting. The crowd has not, however, dispersed.

It seems, by verbal accounts, that not finding Thompson, they seized Garrison, and when the passengers left, at 4, P. M. the mob were leading Garrison down State street with a rope round his neck. What they have done with him we know not. No further accounts were heard of their proceedings.

From the Commercial Advertiser, Oct. 24.

SCENES IN BOSTON—PROCEEDINGS IN THE CASE OF WILLIAM L. GARRISON.

The Boston papers of Thursday enable us to give a full account of the disturbances in that city, of which we were in possession of but a brief notice yesterday. The immediate cause of the disturbance is thus stated in one of the papers:—

After the appearance of a succession of inflammatory articles in the Liberator, highly insulting to the feelings of a great majority of our fellow citizens, attacking with a frantic maliciousness their character and motives, manifesting an insolent defiance of public opinion, and a determination to persist in braving it—a notice was yesterday issued, that the female anti-slavery society would hold a meeting that afternoon when it would be addressed by several gentlemen—among whom it was said Thompson and Garrison were to speak.

At about two o'clock, P. M. a handbill was thrown into circulation, of which the following is a copy:—

"THOMPSON—THE ABOLITIONIST. That infamous foreign scoundrel THOMPSON, will hold forth *this afternoon*, at the Liberator office, No. 48, Washington street. The present is a fair opportunity for the friends of the union to *snake Thompson out!* It will be a contest between the abolitionists and the friends of the union. A purse of $100 has been raised by a number of patriotic citizens to reward the individual who shall first lay violent hands on Thompson, so that he may be brought to the tar kettle before dark! Friends of the union, be vigilant!

"Boston, Wednesday, 12 o'clock."

In consequence of this notice, and of the general suspicion that the notorious Thompson would be present on the occasion, a large assemblage of citizens collected in front of the building No. 46, Washington street, with the determination of intercepting the foreign felon as he entered the door. Soon afterwards several individuals among the crowd went up into the hall of the abolitionists, and threw out of the window all the tracts and papers of the society which were speedily destroyed by those in the street.

About 3 o'clock the people crowded the stairway to the hall, and some thirty women, black and white, were observed within. Garrison was the only male character among the women, and he soon decamped, and withdrew to another room. The mayor of the city, Mr. Lyman, soon entered, and recommended the women to withdraw, and thus extricate themselves from the tumult. They complied, and marched down stairs in couples, black and white, arm in arm. They appeared as silly as can be imagined, and were hissed by the crowd. The people shouted "Thompson—Thompson—Garrison—where is Thompson—where is Garrison," &c. But neither was to be seen.—The mayor addressed the people, and stated emphatically that Thompson was not in the city, and requested the people to disperse peaceably. The general expression then was to take down a large sign on the third story, on which was painted "Female abolition society room." Some of our most respectable citizens then went deliberately, and in a peaceable manner, and drew out the hooks that supported the sign, and were about to take it into the window. The people below then demanded that the sign should be lowered. It was then lowered down, and the people immediately broke it to pieces. This was at about half past 3 o'clock, and most of the spectators, amounting to some 2,000 departed in peace.

Mean time Garrison passed through the building to the rear, and got out of a window twenty-five feet from the ground, on a couple of boxes, placed on a small back building. In stepping on the boxes they gave way, and he fell on the roof of the small building, and was like to have been precipitated to the ground, twelve or fifteen feet below. He recovered himself, however, and descended hastily to the yard, and thence into a carpenter's shop, where he ensconced himself under some boards and shavings.

The Atlas says—he was found crouched under a pile of boards in the second story of a carpenter's shop, and here he surrendered at discretion. A rope was fastened under his arms and about his neck, and he was let down by means of a ladder to the ground. His countenance was pale and convulsed with terror, and he made no attempt to speak or to resist. There was a very general exclamation of "don't hurt him;" and two individuals seizing him on each side by the collar, he was conducted through the lane into State street, and from thence hurried into the mayor's office in the city hall. The crowd remained outside, at one time we should think that from four to five thousand persons were assembled in the street.

The mayor made his appearance at the portico, and addressed the multitude in a brief and judicious speech. He called upon the people to sustain him in the preservation of good order, and in maintaining the supremacy of the laws. His address was calculated to exercise a good effect, and was received

with applause. The crowd, however, did not disperse; and on the approach of a carriage toward the opposite door, for the purpose of removing Garrison, the agitation of the multitude evidently increased.

Here the management of our city police and the devotion of our citizens to the supremacy of the laws were put to the test. Decidedly as our best citizens abhorred the principles of Garrison, and much as they detested the continued agitation kept up by him and those whom he misleads, they were determined to aid the police in sustaining the laws, and in preserving Garrison from violence. When the carriage was at the door of the city hall, they formed double lines for the protection of his person, and succeeded in placing him in the vehicle.

The doors of the vehicle were thrown open, and such was the press upon the horses and the coach, that it was several times nearly upset. By the exertions of the mayor, Garrison was securely placed in the coach, which was driven at some speed up Court street, followed by a large concourse. The coachman was directed to drive to the jail in Leverett street, a warrant of committal having been issued against Garrison, as a public agitator and disturber of the peace. He was committed by sheriff Parkman. In order to elude pursuit, the coachman drove at a rapid rate, and took a circuitous route, so as to approach the jail from the bottom of Leverett street. He was hardly a moment in advance of the crowd, and Garrison had hardly time to give one leap from the coach toward the door of the jail, to escape the shock of the opposing crowds, which were rushing toward him from different ends of the street. He sank exhausted upon a seat exclaiming, that "never was a man so rejoiced to get into a jail before." The door being closed upon him, the immense assemblage in front gradually dispersed.

We cannot but deplore, in common with every good citizen, that our city should be the stage for such tumultuous scenes.—But in what terms of indignation can we speak of the man, who by his rancorous denunciations, and his brawling, ferocious abuse, together with the disorganizing tendency of his doctrines, has excited the people to such an ebullition of their deeply exasperated feelings?

One circumstance in relation to the capture of Garrison is worth recording. The very men who dragged him forth from his skulking place and led him into State street, on seeing that the popular vengeance might be directed against him in a more popular and summary manner than they wished to behold, hurried him themselves into the mayor's office for protection.

The scene around the carriage to which the sheriff had committed Garrison was intensely exciting. At one moment, it seemed that the rush of the vast crowd would overwhelm the coach, while the prancing of the terrified horses threatened danger from another quarter. At another time, the doors were forcibly opened, and as forcibly shut. Finally the coachman succeeded in making his way without any accident through the multitude, that encompassed the carriage, which was followed with shouts to the jail.

We should not omit to state, that the occupants of the stores in the vicinity of the anti-slavery rooms, petitioned the mayor and aldermen, previous to the meeting, setting forth that their property was in danger, in consequence of the general apprehension of a riot, and praying for protection. The city authorities did not consider themselves empowered to comply with the request contained in the petition.

Thus (says the Centinel) have the people of this city expressed their decisive reprobation of the outrageous perseverance of fanatics, in disturbing the public peace, by public harangues on abolition, and we hope that this will be the last attempt of agitators to continue their practices under the shelter of females.

The mayor, and other officers, deserve great credit, for their efforts to preserve the peace of the city.

When Garrison was passing toward the back window to escape, in the early part of the scene, he had the folly to repeat, for theatrical effect—"hail Columbia, happy land." The tendency of the labors of such men, is to convert this "happy land" into scenes of blood and carnage, and to induce the blacks to cut the throats of the whites. Away with such canting hypocrisy.

The Boston Gazette says—We never before saw so gentlemanly a rabble—if a *rabble* it may be called—as that assembled yesterday. They opened to the right and left in the greatest possible order, when a female attempted to pass in or out—not only so, but when a procession of some ten or dozen *black ladies* made known their wish to be admitted, the same was done for them without the slightest token of disapprobation being manifested. It was, in fact, a meeting of gentlemen of property and standing from all parts of the city, who were disposed, and still are determined, at all hazards, and, "come what may," to preserve the peace of the city from all domestic incendiaries, as well as to protect the union against foreign interference.

Latest.—The Boston Transcript of Thursday evening contains the following:—

Constables were placed last night in the vicinity of Garrison's house, and at the office of the Liberator, Cornhill, but there was no attempt made to destroy his property; nor were there symptoms of farther riot after eight o'clock, although there were assemblages of people in small squads, until nearly midnight, anticipating excesses, which for the honor of the city, we are happy to state, did not occur.

Mr. Garrison was released from imprisonment this morning, and has left the city.

—

EXCITEMENT AT UTICA, &c.

From the Albany Argus

We learn with the greatest surprise, that a majority of the common council of the city of Utica, notwithstanding the objections of the mayor, and in contempt of the known wishes and feelings of nearly the entire body of citizens, have granted the movers in the abolition state convention, permission to hold their incendiary meeting in the supreme court room of the academy! As soon as this fact transpired, a strong and indignant feeling was manifested by the citizens; and the following notice was forthwith signed and issued with hundreds of approving signatures:

"*Public meeting.* Citizens of Utica! You are aware that an abolition convention is appointed to be held in this city on the 21st inst. It is surely degradation enough to be selected as the place for such an assemblage: but this is not all the disgrace which has fallen upon us. The assemblage is to be received with public honors: a majority of the common council has given them permission to hold their meeting in the academy! This was not to have been expected. A proper regard for the quiet of the country, for the fair name of this place, and for the publicly expressed views of its citizens, should have prevented such an act. All these have been disregarded and contemned—our *rulers* have declared for the abolitionists, and the people are called upon to yield a quiet submission, or to arouse themselves and act as becomes men.

"We might ask by what right does the common council assume to give this permission? What lawful right have they to dispose of the academy for such a purpose? But let us stop to discuss this question. Let us go further, and we ask why is the city thus degraded? In the name of decency, why is so foul a stigma affixed to its name? Are those who are selected to guard its interests and protect its fame, as indifferent to its welfare as they are to the peace and quiet of a whole country?

"Such is the present posture of affairs. The common council is not infallible. It may have erred. It may be that it has no lawful right to grant this permission. The academy is the common property of the citizens. It was erected by their liberal contribution, and ought not to be polluted by an assemblage of disorderly fanatics, whose acts while they degrade the city, do also greatly disturb the quiet of the good people of these United States.

"Fellow citizens—Let us meet and deliberate on these things. *This evening*, at 7 o'clock, let us repair to the academy, and there, while that building is yet free from the pollution which awaits it, let us decide what the occasion may require, and that let us do. Saturday, Oct. 17, 1835.

"S. Beardsley, A. G. Dauby, D. Wager, S. Germond Mott, E. Hart, J. C. Devereux, Richard Sanger, H. M. Benedict, George W. Gardner, Jas. H. Keeling, Jesse Newell, D. J. Morris, Amos Cleaver, A. B. Johnson, Jas. M. Lewis, Thos. Rockwell, B. B. Lansing, R. W. Clark, John Egan, F. W. Guiteau, Wm. H. Fellows, A. Southmayd, Thomas Colling, Chs. S. Wilson, S. Doolittle, Horatio Seymour, E. S. Barnum, Rudolph Snyder, Thomas M. Francis, John F. Kittle, Kellogg Hurlburt, O. B. Matteson, V. V. Livingston, T. K. Butler, G. Sangor, H. H. Williams, James McDonough, N. C, Newell, Robert Jones, R. McBride, H. S. Smith, Harvey Barnard, Julius A. Spencer, J. M. Hatch, Isaiah Tiffany, A. B. Williams, R. S. Lattimore, E. Leach, Chauncey Rowe, E. S. Comstock, T. O. Grannis, Daniel Penfield, jr. Holmes Hutchinson, E. A. Wetmore, R. B. Miller, M. D. Parker, L. W. Clarke, N. N. Weaver, John Anson. [A large number of names omitted for want of time.]"

The meeting held, pursuant to this call, was one of the most numerous and respectable ever convened in Utica. A common sentiment of reprobation at the conduct of the common council, and at the audacity and incendiary designs of the abolitionists, pervaded the assemblage. Strong resolutions, expressive of these sentiments, and avowing a determination that the academy and supreme court room should not be prostituted to such purposes, were adopted by acclamation. And the meeting adjourned to meet again in their full strength, and under all the potency of a great and pervading public sentiment, at the academy, and in the supreme court room, on the morning of the 21st, (the day of the proposed convention). This movement we suspect, will satisfy the authors of this scheme of mischief and agitation, that they will not be permitted (whatever may be the course of the common council) to desecrate any public building by their presence and proceedings.

The following is an account of some of the proceedings that took place at the second meeting:

On motion of Samuel Beardsley, Rudolph Snyder, esq. was appointed president, and John C. Devereux, Ephraim Hart, Ezra S. Barnum, Kellogg Hurlburt, Adam Bowman, Nicholas Smith and J. B. Pease, esqs. vice presidents, and Isaiah Tiffany and Wm. C. Noyes were chosen secretaries.

On motion of Samuel Beardsley, a committee of five was appointed by the chair to prepare and report resolutions expressive of the sense of the meeting consisting of the following:—

Messrs. Samuel Beardsley, Joshua M. Church, Rutger B. Miller, Chauncey Rowe and B. B. Dansing.

After the committee had retired, the honorable Joseph Kirkland, mayor of the city, entered the meeting, and being invited to a seat with the president, made a short address, in which, from feelings of delicacy toward another body, over which he

presided, he declined the invitation, but at the same time expressed his decided opposition to the resolution of the common council which occasioned the present meeting.

The committee, after a short recess, by the honorable Mr. Beardsley, its chairman, reported a preamble and resolutions for the consideration of the meeting, which, having been read, and the meeting having been addressed by several gentlemen, were adopted. We copy the resolutions.

Therefore, *Resolved*, That the said vote of a majority of said council, is regarded by this meeting, not only as a flagrant usurpation of power, as that body has no rightful authority to grant such permission, but as a direct indignity to the good citizens of this place.

Resolved, That we highly approve of the course which the mayor of this city has taken upon this exciting subject; a course, in the judgment of this meeting, not less the dictate of a proper self respect, than of sound patriotism and public virtue.

Resolved, That we proffer to the minority of the common council who opposed the adoption of the resolution to which we have before referred, an expression of the thanks and cordial approbation of this meeting.

Resolved, That this meeting, unmoved by passion or prejudice but influenced only by a just regard for itself, and what is due to the quiet and repose of the whole community, will not submit to the indignity of an abolition assemblage being held in a public building of this city, reared as this was, by the contribution of its citizens, and designed to be used for salutary public objects, and not as a receptacle for deluded fanatics or reckless incendiaries.

Resolved, That it is the incumbent duty of every citizen to make use of all lawful and proper measures to arrest the disgrace that would settle upon this city by the public assemblage of the convention appointed to be held on the 21st inst. and that when this meeting adjourn, it will adjourn to meet on that day at nine o'clock, A. M. at this place.

The steamboat, by which the foregoing intelligence was received, arrived at a late hour this morning. We learn from gentlemen who came down, that the second Presbyterian church, (commonly known as Mr. Brace's church), was tendered for the use of the convention.

The members, to the number of about four hundred, entered the church early on the morning of Wednesday; and, before they had proceeded to business, a large number of the inhabitants of Utica, preceded by the hon. Messrs. Hayden and Beardsley, the former the first judge of the county, and the latter a member of congress, entered the church, and stated to the presiding officer, that the assemblage of the convention was contrary to the wishes of a large majority of the inhabitants of that county, and that they were determined the meeting should not proceed in the business before them, and that it was very desirable for the peace of the county, that an adjournment should take place—whereupon Garret Smith, esq. of Peterboro', rose and remarked that, although not a member of the convention, he begged leave to suggest an adjournment to Peterboro', where he would guarantee a kind reception and a place to hold its deliberation.

A motion to that effect was immediately made, and adopted.

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From the Albany Evening Journal.

Utica, October 21, 1835.

DEAR SIR: You have undoubtedly seen the resolutions which were passed at the meeting on Saturday night. The citizens assembled at the court room at 9 o'clock to-day, but did not organize and commence business much before 10. A preamble and resolutions were passed reiterating our sentiments in relation to the proposed convention, and protesting in the strongest terms against its assembling within the bounds of our city. By one of the resolutions a committee of 25 was appointed to wait upon the delegates to the convention and urge them not to assemble, and warn them of the consequences of persisting in their designs. The mayor was at the National attending a Seneca road meeting. The committee were instructed to wait upon and request him to act as their chairman. He thought it right to decline on account of his official station, not knowing but he might, possibly, be called upon to act in his character as a peace officer. He, of course, entirely approved of the proceedings and objects of our meeting. The committee excused him, and having appointed judge Hayden chairman, proceeded to the Bleeker street church, where the abolitionists had convened, and, as was understood, were making all haste in their proceedings. There had been so much (unavoidable) delay on the part of the meeting at the court room, that the multitude which had surrounded the church became impatient, and took the liberty of opening the doors in rather a summary way, so that when the committee arrived a passage was made for them into the body of the church. When they entered, Mr. Lewis Tappan was reading a declaration of the opinions or rights or some such matter, which he persisted in finishing, notwithstanding there was such an uproar that not one syllable could be heard. Order was finally restored, and the resolutions from the court room were read by J. W. Williams, on behalf of the committee. Mr. Tappan then moved the appointment of a committee of ten from the convention to meet our committee at the court house, but the people deeming this a ruse for delay, would not allow it. A consultation was had among the officers, and it was announced that the convention would adjourn sine die. This was received with acclamation but it was insisted that the members should immediately leave the house and disperse, and it was also insisted that the official account of their proceedings should be given up to the committee of citizens. The rev. Mr. Wetmore was officiating as secretary, and refused to part with his papers. By walking on men's shoulders and the tops of pews, a gentleman was able to reach the chairman's table, and at once prevailed upon the secretary to surrender his minutes. As soon as they were obtained, some 3 or 4 seized the gentleman who had them, by the legs, and elevating him upon their heads, enabled him to proclaim to the crowd, that their object was attained. The multitude members and all, then left the church, and the committee returned to the court room and reported.

The members of the convention made all reasonable diligence to leave the city.

It is rumored that they intend to reassemble to-morrow morning at Peterboro'. While in the church, judge Hayden made a short address for the purpose of allaying the tumult and preventing violence. Mr. Beardsley also made a short speech, in which he told the gentlemen of the convention, without any circumlocution, what he thought of them and their acts, and at the same time appealed earnestly to the citizens to maintain good order. Mr. Stewart, (Alvan) attempted to address us, but nobody could induce the people to hear him, and he had to desist. It appeared by their minutes that "*the convention to form a state anti-slavery society*," had been organized by the appointment of judge Brewster, of Riga, as chairman pro tem. and had adopted a constitution and declaration—though in fact the declaration was not adopted, because no vote could have been taken in the tumult. It would seem, therefore, that although the convention adopted a constitution for the anti-slavery society, that the society itself was not formed—that is, no officers were chosen, and no members were enrolled. Judge Hayden, Messrs. Beardsley, Wager, B. Ballou, Gold, Blakesly, Barnard, Tracy, Dwight, Cooper, Williams and myself, were on the committee. I do not remember the others—in fact I did not hear all their names. There is not the slightest doubt but the meeting at the court house, and its action through the committee, saved the church from destruction, and perhaps the members of the convention from the tender mercies of an infuriated populace. If they had refused to receive the committee, or if they had attempted to continue their meeting, no power on earth could have saved the church from being torn down upon the heads of its occupants. It is now half past 5 P. M. The members of the convention have left the city, and all is quiet.

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From the Utica Whig, extra, October 21.

Postscript—7 o'clock, P. M. We have just learned that the printing materials of the Standard & Democrat office, the abolition paper in this city, have been thrown out of the windows on the walk!

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From the Utica Observer—extra.

Wednesday, October 21, 1835.

ABOLITION CONVENTION—MEETING OF THE CITIZENS—ADJOURNMENT OF THE CONVENTION *sine die.*

At an adjourned meeting of the citizens of Utica, held on the 21st October, 1835, at 9 o'clock, A. M. pursuant to a resolution of the meeting held on the 17th intant, *Rudolph Snyder*, esq. was appointed president, and John C. Devereux, Ephraim Hart, Ezra S. Barnum, Kellog Hurlburt, Adam Bowman, Nicholas Smith and John P. Pease, vice presidents; and on motion of D. Wager, esq. Isaiah Tiffany and William C. Noyes, were chosen secretaries.

On motion of J. Watson Williams, esq.

Resolved, That a committee of five be appointed by the chair to report resolutions expressive of the sense of the meeting, whereupon the chair appointed Messrs. J. Watson Williams, Chester Hayden, George J. Hopper, Rutger R. Miller and Harvey Barnard such committee.

The committee, after a short recess, by its chairman, J. Watson Williams, reported the following preamble and resolutions, which, on motion, were unanimously adopted:

The citizens of Utica having, on the evening of the 17th inst. expressed their decided disapprobation of the vote of the common council of the city granting the use of the court rooms to the state convention of abolitionists called to assemble here this day; and having determined, by adjourning to this time, to prevent an assemblage of that odious character in a building erected by the voluntary contribution of the said citizens for better and different purposes; and being now assembled pursuant to that adjournment, deem it a proper occasion to reaffirm the sentiments heretofore frequently expressed by them in relation to the deluded and fanatical efforts of the abolitionists.

We are conscious that the eyes not only of the people of this state, but of the whole union, are fixed upon our proceedings. We are expected by our fellow citizens at large to prevent, if possible, by proper and lawful means, the disgrace which will sully our name, if men, whose measures tend most directly to the disturbance of the public peace, and no less directly to the disruption of the now happy union of these states, are permitted to make our city the scene of their mistimed and noxious deliberations. Our determination and our presence prevent their coming *here;* and we now most solemnly and deliberately remonstrate against their attempts to assemble elsewhere within this city. To add force to that remonstrance, we tell them that disposed as we are, as good and

peaceful citizens, to discountenance every attempt to disturb the public peace, and determined as we are to take no part in measures of personal violence and insult, we do not hold ourselves nor our reputations responsible for the consequences which may follow their misguided determination to assemble and deliberate upon the questions which it is their avowed design to agitate in defiance of the repeated expressions of the public opinion here and elsewhere: upon them, and them alone, forwarned as they have been of the excited state of feeling here, must rest the blame and the reproach of whatever unlawful and disgraceful events may happen. They are trifling with the deep rooted opinions of their fellow citizens, and we must hold them answerable for whatever excitement their rashness may produce, and for all its unhappy consequences. To their own folly and madness must be attributed whatever evil may flow from their truly unchristian and unpatriotic disregard of the duty incumbent upon them as citizens and as men.

Entertaining as we do most earnestly, the opinion that an adherence to their unwise determination to hold a convention in defiance of the repeated strong expressions of a vast majority of our fellow citizens, may lead to unpleasant and perhaps dangerous acts, and sincerely desirous to avoid whatever may affect our quiet and good repute,

Therefore resolved, That a committee of twenty-five of our fellow citizens be appointed by the chairman of this meeting, whose duty it shall be to ascertain the proposed time and place of the meeting of the said convention of abolitionists, and express to the delegates of the said convention who may be present in this city the opinions entertained here and throughout the state and union, of the impropriety and rashness of attempting to assemble for the purposes expressed in the call for said convention; and that the said committee be instructed to urge upon the said delegates the evil consequences which are likely to ensue if they persist in their unwise attempt; to represent to them the excited state of public feeling here, the utter abhorrence in which the doctrines and measures of the abolitionists are held; to warn them to abandon their pernicious movements, and to regard, as becomes all citizens studious of the public quiet and welfare, the frequent remonstrances of the great body of the people of this state and of the union against their obnoxious designs.

The president then appointed as the committee mentioned in the first resolution, Messrs. Chester Hayden, Rutger B. Miller, Samuel Beardsley, Ezra Dean, William Tracy, J. Watson Williams, E. A. Wetmore, A. G. Danby, O. B. Matteson, G. W. Hubbard, J. D. Leland, Benjamin Ballou, Augustus Hickcox, A. B. Williams, Julius A. Spencer, Harvey Barnard, T. M. Francis, B. F. Cooper, Isaiah Tiffany, David Wager, T. S. Gold, Alvin Blakesly, Burton Hawley, Jesse Newell, J. H. Dwight.

On motion of E. A. Wetmore, esq.

Resolved, That the hon. Joseph Kirkland, mayor of the city, be requested to act as chairman of the said committee.

The meeting then took a short recess for the purpose of enabling the said committee to discharge the duties incumbent upon them, and in a short time was again organized for the purpose of receiving their report, which was made by hon. C. Hayden, their chairman, as follows:

Mr. *President:* The committee appointed pursuant to a resolution of this meeting to wait on the delegates of the convention of the abolitionists, appointed to be held in this city on this day, and communicate to them the sentiments of this meeting, respectfully report—

That his honor the mayor, named as chairman of your committee, being made acquainted with his appointment, declined from considerations connected with his official character to act as such; at the same time expressing his approbation of the spirit and temper of the resolutions of this meeting, proposed to be communicated.

That thereupon your committee proceeded to the Bleeker street Presbyterian church, where the members of the convention were already assembled, and finding the doors open, entered and proceeded to read the resolutions and to make the communication with which they were charged—whereupon after some little delay the convention yielded to the pressure of public opinion and adjourned without delay.

That when your committee entered the church the secretary of the convention, or some person for him, was reading some paper, upon which, however, no question was afterwards taken.

Which report, on motion, was unanimously adopted, and was received with loud and repeated acclamations.

On motion of B. F. Cooper, esq.

Resolved, That when this meeting adjourns, they will carry out the triumph of public opinion this day achieved, by refraining entirely from all violence, and discouraging it to the best of their abilities on the part of all others of our fellow citizens.

On motion of D. Wager, esq.

Resolved, That the officers of this meeting be authorised to call a meeting of the citizens of Utica, if they shall deem it necessary, to prevent the assemblage of the abolition convention or any other convention of a similar character within the city.

On motion of I. M. Hatch, esq.

Resolved, That they also be instructed to inform the said delegates of the number and character of the persons composing this meeting: that it is no riotous assemblage convened for the purpose of encouraging or abetting tumult and disorder; but a meeting of good and reputable citizens of Utica, of all classes and parties, assembled to prevent, if they can do so by their advice and remonstrances, a resort to violence and insult, by urging, before it is too late, upon the delegates to said convention, to forsake their determination of assembling amongst us at a time when the public feeling is so violently excited against their rash measures.

Resolved, That the thanks of this meeting be returned to the committee of twenty-five citizens for the able, effectual and proper manner in which they have performed the duties assigned them.

On motion, *resolved*, That the proceedings of this meeting be published in the Utica Observer, Oneida Whig, Baptist Register and Evangelical Magazine. The meeting was then adjourned.

RUDOLPH SNYDER, *president*.

JOHN C. DEVEREUX,
EPHRAIM HART,
EZRA S. BARNUM,
KELLOGG HURLBURT,
ADAM BOWMAN,
NICHOLAS SMITH,
JOHN B. PEASE,
} *vice presidents.*

Isaiah Tiffany, *W. C. Noyes*, } *secretaries.*

Three o'clock, P. M.

A considerable share of the abolitionists have, as we learn, gone home—the residue, 4 or 5 stage loads, have just departed for Peterboro', Madison county, 30 miles from this city, where we understand they intend assembling to-morrow morning.

Great praise is due to the citizens of Utica for the orderly manner in which they have conducted themselves on this most exciting occasion.

It is to be added to this account of a series of peaceful illegalities, that other persons less peaceful, though not acting more unlawfully, proceeded to the office of the Standard and Democrat, an abolition and Van Buren paper, and threw the types and materials into the street, on Wednesday evening.

From the New York Journal of Commerce.

We understand by a gentleman who arrived this morning from Utica, that the abolition delegates, to the number of 400, assembled on the morning of the 21st, in one of the churches in that city, the room granted them by the common council having been previously occupied by a large body of citizens, who on hearing that the delegation had met, repaired to the church, and finding the doors fastened, stove them down, and rushed in, and demanded a hearing. This was granted by the convention, whereupon, several resolutions were read, the purport of which we are not informed. After this the convention attempted to proceed to business, but were interrupted by the audience. In the meantime the bells were rung, in order to concentrate the mob, and notify them where the convention was sitting. Accordingly, an assemblage, of about 1,000, repaired to the church, with fire hooks, ladders and ropes, and proceeded to demolish the building. The convention, finding it impossible to proceed, retired from the church, without receiving any personal injury, except one of the aldermen of the place, who had his clothes torn off, and was somewhat bruised. The building was not materially injured. It is understood that the convention were in possession of the church about half an hour, in which time they formed the proposed state society, and adopted the constitution. After their dispersion, Mr. Garret Smith, of Peterboro', offered them the use of his church, whither they had gone to finish their sittings. Peterboro' is about 25 miles from Utica.

It is proper to add that the person from whom this information was derived, is an abolitionist. Another gentleman who arrived in the boat from Albany this morning, informs us that it was understood the convention were followed by the mob, and would not be permitted to continue their session at Peterboro'. The excitement was very great. An individual connected with this establishment proceeded to Utica on Tuesday afternoon, but could not have reached there till Wednesday evening, the day on which the convention was held. We shall doubtless hear from him this evening or to-morrow morning. In the meantime we have availed ourselves of such information as was within our reach.

P. S. Since the above was in type, we have received the following, from which it would seem that the convention adjourned to Whitesborough, instead of Peterborough. Whitesborough is four miles N. W. of Utica, and is a sort of head quarters of abolition in Oneida county.

Albany Evening Journal—extra, 4 *o'clock, P. M.*

The abolition convention met yesterday at Utica, in the 2d Presbyterian meeting house, organized and adjourned to Whitesborough. Several hundred abolitionists were in attendance. Much confusion, but no violence, occurred.

[A great variety of other matter is published in relation to these proceedings—but the foregoing is sufficient to shew that the convention was not allowed to be held at Utica.]

THE PERIPATETIC CONVENTION.

The news from the west this morning respecting the ambulatory convention which commenced its proceedings at Utica on Wednesday last, but found it inconvenient to remain there to complete them, is contradictory. The Albany papers, greatly to our surprise, contain not a syllable upon the subject later than our advices of Saturday. Our own correspondent writes from Utica on the 22d, (Thursday), as follows:

Utica, October 22d, 1835, 7 *o'clock, P. M.*

GENTLEMEN: The news has just arrived, that the abolitionists have not been permitted to assemble at Peterboro'. The assembly was driven from that place this morning by a force of

some sixty or seventy men. The report is that it went thence to Canastoga.

Such, beyond doubt, was the intelligence at Utica on Thursday night. But our correspondent was evidently misinformed, in whole or in part, as will be seen by the following letter, written on Friday, and published in the Daily Advertiser of this morning:

Utica, Friday, October 23, 1835.

GENTLEMEN: In my last I mentioned that the convention had adjourned to Whitesborough—I should have said Peterborough. The members, after having received an invitation from Garret Smith, esq. adjourned to the latter place. There the society appointed William Jay, esq. of Bedford, president of the New York Anti-Slavery society; and a vice president for each senatorial district. Garret Smith, esq. who has been one of the greatest obstacles in the way of the abolitionists, addressed them for an hour and a half, avowing himself in favor of their principles, "even the most odious of these principles." He opened his house to them, and treated them with the greatest hospitality.

A subscription was opened which amounted to $11,000. The state society will have Utica for the theatre of its operations, where they will carry on their printing, &c. About 600 enroled their names at Utica, and about 400 arrived afterward. Almost every county was represented, and the convention was the largest ever held in this state on any occasion. The convention was as far as could be easily ascertained about equally divided on politics, between whig and tory, but it is believed that they would be willing to merge all minor questions in the one that agitates the country to so great an extent at the present time. The accounts of violence which you will hear reported are without foundation. The vote of the common council of Utica is about a fair specimen of the opinion of the people of this town. The rioters were a good many of them from other towns. The grog shops were thrown open, and liquor furnished gratuitously prior to the meeting of the mob. The excitement which has been got up is altogether political.

From the particularity of the details mentioned in this letter, it is evident that the people of Utica were misinformed as to the facts of the case on Thursday night. Still, it is very likely that from the great excitement prevailing in that region, there may have been a show of opposing force, and another precipitate adjournment of this modern specimen of knight errantry.

The course at this crisis, of Garret Smith, is deeply to be deplored by every friend of the pure and peaceable spirit of the gospel, as preached by its founder and his disciples; by every true friend of the slaves and of the colored race who are free; and by every friend of the union of these United States. Mr. Smith is really and truly one of the noblest spirits of the age. Possessed of a princely fortune, he uses it as having been entrusted to him by the great proprietor of all things. He is a man of sincere and ardent piety—of a gifted mind—"with the oil of eloquence upon his tongue, and the honey of persuasion upon his lips." He has for years been active in the cause of the Master whom he serves; and has been the means of accomplishing great good. But for two or three years past, his friends have seen with regret that he was verging toward that spirit of ultraism which unhappily threatens to break up the foundations of society, civil, political and religious. The celebrated rev. captain Stewart, one of the English emissaries, has been for a length of time an inmate of his hospitable mansion; and Mr. Smith seems at length to have thrown himself into the arms of the most dangerous combination of men that have ever been associated in our country. Still, whatever may be said of others, the motives of Garret Smith cannot be questioned.

[*N. Y. Com.*

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The Presbytery of Winchester, at their late meeting, expressed their views on the subject of abolition. They declare "their disapprobation and abhorrence of the principles and conduct of the advocates of *immediate and universal emancipation;* and unhesitatingly avow their belief, that the course recently pursued by them, is unsound, unwise, a violation of their duty as citizens, a departure from the example of Christ and his apostles, and injurious both to master and slave." [*Richmond Comp.*

The Milledgeville (Geo.) Journal says: "Arrests of black people have lately been made in Monroe county to considerable extent. We have not learned the number or the other particulars with such certainty as enables us to state them with any confidence. All our information has come through several hands, and each account varies considerably from each other. But we believe they all agree that a considerable number, perhaps twenty or thirty or more, have been taken up. Some, it is said, have confessed to very extensive plots, some have been whipped and discharged, others committed for further examination, but none, we are glad to say, have yet been executed."

It is stated that Thompson, the Englishman, has returned "from whence he came," in a ship that lately sailed from New York, for Liverpool; and will soon visit the old women of Glasgow, to relate his hair breadth escapes, under the protection of petticoats, in America. We are not among the friends of violence—but regret that he was not treated with a *new suit* before his departure, as a lesson to future foreign emissaries—whose insolence is altogether inexcusable.

Jacksonville, Ill. Oct. 3. From a written notice that met our eyes on the corner of the square, headed blacklegs beware! followed by a polite intimation that their absence would be particularly desirable by a certain given time; we suppose that the judge [*Lynch*] is about commencing the *Illinois circuit.* We hope, however, that he will find but few cases on the docket, and that should he be compelled to issue a capias or two, the writ will be returned, endorsed non est inventus.

On Thursday, the mayor was informed that there was a negro on board the brig Roxberry, arrived from New York, who had abolition pamphlets and incendiary prints; and immediately sent the captain of the guard with some of his men to investigate. The accused was found with a print representing a negro in chains, with the words superscribed "Am I not a man, am I not your brother?" and afterwards a stanza in English verse—issued by the abolitionists. The pamphlet was issued also by one of the anti-slavery societies, and was signed by A. Judson, and written by T. G. Whitier. The captain of the Roxberry has been bound to give testimony, and the negro has been imprisoned.

If the mayor would have enforced the laws of the state and ordinances of the city, relative to the emigration of negroes and others, and the registering of all strangers, as he is officially bound to do, he might render an efficient service to the public. He should not wait as usual to act only when he receives direct information. [*New Orleans Bee, Oct.* 10.

A letter from Covington, (Tenn.) published in the Worcester Palladium, says:

"The negro stealer takes the negro to the lower country, sells him for $800 or $1,000 cash, then tells the negro to run away and meet him at a place appointed, where they divide the money. He takes him to another section of the country and sells him again, the negro runs away and they again divide the money. After having sold the negro in this way several times over he takes him into the woods, murders him, and takes the whole of the money."

Mobile, Oct. 10. The grand jury of *Tuscaloosa* county, in this state, on Friday the 25th ult. returned a true bill against Robert G. Williams, the editor of "The Emancipator," New York, for circulating within this state, publications of a seditious character, tending to excite our slave population to insurrection and murder. It is said in the "Flag of the Union," though not "authentically," that the governor will make a demand upon the executive of New York, for the delivery of Williams, to be tried under the laws of this state. The clause of the constitution relied upon to sustain the claim, is that which declares that "a person charged with treason, felony, or other crime, who shall *flee* from justice and be found in another state, shall, on demand of the executive authority of the state *from which he fled*, be delivered up to the state having jurisdiction of the crime."

Should such a demand be contemplated, there will arise some very grave and intricate questions of constitutional law, which we hope will receive the most earnest and patient investigation, before the decision is made. The south stands now, on impregnable grounds. Our rights are clear, undeniable, undisputed. The whole mass of the northern people confess them—and though they have not in most instances answered our just expectations, in the offer of such aid as we know to be our just due for restraining there, the authors of the mischief—the voices that object to any action, or doubt our constitutional rights, and the moral obligation to do something actively to uphold them for us, are few and feeble. We have no divisions on the subject south of the Potomac. There is not a man—not one—who, on this, separates from his neighbors of every shade of opinion on other subjects.

With this array of moral force, unshrinking determination and enthusiastic unanimity here, and the admitted concert of northern feeling, with the spirit of our demands—our position is, we repeat it, impregnable. Let us be wary, while we are resolute—cool, while we are firm—and so assert our rights, as not to lose force at home, or weaken our admitted constitutional rights abroad. Let this question of the right to demand abolitionists, be carefully considered, before we are committed to a new state of the case, in which, differences of opinion, serious and conscientious, may impede the acquisitions of guarantees and securities from our northern countrymen, which they would be willing to grant but for terms, which involve principles totally distinct from the merits or demerits of the abolitionists.

MORE HANGING IN MADISON!

Madison county, September 20, 1835.

DEAR SIR: Since the trial and departure of Earl, our county has been blessed with uninterrupted tranquillity, until within a few days past. The appearance of a notorious negro belonging to captain Hudnall, of this county, threw the community into a considerable excitement last week. He was said to be one of the ringleaders in exciting the negroes to insurrection, by Dr. Cotton; likewise implicated by other white men, and by a number of the negroes hung at Bertie's Bluff.

The guard attempted to take him immediately after the execution of Cotton, but could not succeed.

The committee of Livingston, before their adjournment, determined upon hanging him when he should be taken, there being no doubt as to his guilt; and, being a dangerous fellow, the citizens likewise determined he should not live, if he was not sentenced by the committee.

Consequently, when he came home, the citizens made a demand of him from captain Hudnall. The fellow heard what

the people were at, and put out. By the laudable exertions of captain Hudnall he was decoyed into Livingston and secured.

By a committee, composed of some of the members of the old committee, he was sentenced to be hung the same evening.

Under the gallows he confessed he knew the conspiracy was on foot eight months ago. The first he knew of it was from Ruel Blake, (hung here on the 10th July). He said he communicated to him when at work with him, and told him he must kill his master first. This, he said, he did not like to do. Blake, he said, was alarmed at his manner, and told him that if he would say nothing about it he would give him five dollars which he did. Blake afterwards told him he was elected one of the captains of the negroes, and that he must serve, &c. When he found he had to die, he told his master, if he was to be hung, he had others on the place who were as guilty as he was. It was thought by every person present that the accusation was made out of revenge, being of a most malignant disposition.

When the executioner was about putting the rope around his neck, he began to think they were going to hang him in good earnest, and determined to evade it if possible, by dodging the rope. And it was not till after a gun was presented at him that the rope could be put on his neck. So great was his desire to live (although his arms were tied), that after he was swung off he caught the rope above his head with his hands, and hung by them for a minute.

When the citizens learned of his execution, it appeared to give general relief and satisfaction. I think we may safely say, this is the winding up act of the Livingston committee. His case will appear in full on the proceedings of the Livingston committee, now in preparation for publication.

[*Natchez Courier.*

TO THE CHRISTIAN PUBLIC.

Office of the Young Men's Col. Soc. Philad. Oct. 15, 1835.

It has become our very painful duty to announce to our fellow citizens that the plantation of the new colony at Bassa Cove, in which they so promptly and generously participated during the last year, has been for a season arrested by the hand of savage assassins.

It is known to the community, that this infant colony was begun under the most auspicious circumstances, about a year since, by the Young Men's Colonization society of Pennsylvania, in union with the Colonization society of New York. The first act of these united institutions was to relieve from bondage, by their removal to Africa, 126 slaves of the very best character, whom they established at Bassa Cove, on the southern border of Liberia, with every prospect of safety, prosperity and happiness. The territory in which they were settled, was fairly and amicably purchased; the friendship of the African princes in the vicinity was fully, and, as it was supposed, faithfully pledged; the location was in all respects highly favorable to the health, industry and morals of the colonists, as well as to the safe and happy establishment of the infant commonwealth; and its position eminently fitted to arrest the fearful evils of the slave trade.

The principles upon which the colony was founded are such as were best adapted to promote alike the highest interests of the emigrants and of the dark continent to which they were sent: being those of temperance, peace and Christian order. Fully aware of the treachery and ferocious opposition of the abandoned men engaged in the slave trade on that coast, and also of the influence which might be exerted by them in exciting the jealousy and evil passions of the surrounding savages, we selected the site of the new colony under cover of a well established settlement at Edina, which could, as was supposed, in any exigency, furnish every necessary facility and defence to this infant enterprise. In addition to this, it has always been the purpose of the united societies, which are pledged to this now afflicted people, to fortify their establishments by all proper defence, so far as the circumstances of the colony should make it necessary.

The community are fully aware of the delicate and difficult nature of such a provision, as should on the one hand secure a feeble community of emigrants from the resentment and machinations of slavers, and the treacherous assaults of native savages—and yet, on the other, shun every influence and even every appearance inconsistent with the mild and beneficent spirit of a Christian people. If in seeking to avoid the latter, we may be supposed by any to have incurred the former evil, we confide in the justice and generosity of our fellow citizens, who will not fail to attribute it to an earnest wish to conciliate the degraded natives, and by light and love, rather than by military array, to impart to them the blessings of our civil and religious institutions.

Upon the whole, in balancing the difficulties which attend this subject, it was fully determined that adequate means of self-defence in the last extremity, if discreetly used, would, according to our constitution, be not only "dissuasive from war," and promotive of peace, but absolutely necessary to its permanent preservation. In the mean time, trusting, under God, to the protective influence of the adjacent colonies—confiding in the amicable relations subsisting between our people and the surrounding tribes, and hoping that the demonstration of power afforded by the occasional appearance on that coast of an American ship-of-war, would awe those designing and wicked persons, who might be tempted by the defenceless condition of the settlement to disturb its repose—we were actively engaged in preparing to send out a third expedition, when the disastrous news, which have clothed the friends of Africa in mourning, reached our shore. The account of the unprovoked massacre of about twenty of the colonists, in cold blood, by a neighboring tribe, under the command of king Joe Harris, has already been communicated to the public. The effect of this unexpected and infamous attack, has been for the time to disperse the colonists. But an asylum for the survivors was mercifully near at hand. An adequate reinforcement was speedily sent down to their relief from the upper colonies, and being joined by a faithful native ally, they promptly repelled the invaders. It is most gratifying to be enabled to say, that the second expedition, consisting of 63 emigrants from Georgia, did not arrive until this tragedy was over, and were safely landed at the port of Monrovia, so that notwithstanding the disaster so much to be deplored, the great body of our colonists not only escaped injury, but are now sheltered in the receptacles of Liberia, awaiting the occasion and means of their re-establishment under happier auspices.

In these circumstances, it is not our purpose (as was originally intended) to send out another company of emigrants during the present season. But the condition of things at Bassa Cove loudly appeals to the benevolence of the American people. This call is the more impressive from the cheering fact that the enemies of this colony are few and feeble, its friends among the native princes many and strong; and a timely effort is now required to re-establish the colony on a permanent foundation. If, at the present crisis, we may be permitted to suggest the course most proper to be pursued, it is in substance as follows:

To send out without delay a commission, with full power to re-establish the Bassa Cove colony, as well as to make such changes, regulations and improvements, for the comfort, good morals, health, order and defence of the establishment, as circumstances may require. We are enabled to say on good evidence, that the valuable government house, and the greater portion of the residences of the colonists, remain uninjured.

To despatch speedily an adequate supply of provisions, clothing, medicine, utensils, and such means of defence, as the present exigency calls for.

To request the general government to renew the salutary and important cruises of American ships-of-war on the African coast, and their visits to the American colonies planted there.

To call a public meeting of the citizens of Philadelphia at as early a day as practicable, to devise measures for carrying the above suggestions into effect.

JOHN BRECKENRIDGE, *president.*

Thomas Buchanan, secretary of the Board of Man.

NEW PRISON IN MOYAMENSING.

This splendid building is alike credible to the liberality of the people and the taste and labors of the distinguished architect, *Thomas U. Walter*, esq. The subjoined particulars are derived from the most authentic sources:

THE PHILADELPHIA COUNTY PRISON,

Is situated on the Passyunk road, about one mile south of the city.

The whole establishment was designed by Thomas U. Walter, architect, and executed under his direction. The corner stone was laid on the 2d day of April, 1832, and the buildings are now ready to be occupied.

The width of the front on Passyunk road is 310 feet, by 525 feet in depth. The entire facade is designed in the castellated style of architecture, a style peculiarly appropriate for the purposes of a prison. Towers are here seen rising above towers, and battlements above battlements, forming a magnificent pile of nearly 80 feet in height. The various parts of the whole mass beautifully harmonize with each other, and produce what may with propriety be styled *the poetry of architecture.*

The whole facade is composed of a blue sienite obtained from the Quincy quarries in the state of Massachusetts.

The appropriateness and elegance of the design, the excellence of the material, and the beauty of the workmanship, are alike worthy of admiration.

The front consists of a centre building, surmounted by an octagonal tower, and flanked by two wings. These wings are terminated by massive octagonal towers. Bastions are placed on the extreme corners of the front, with wing walls connecting them with the octagonal towers.

The centre building stands 10 feet in advance of the wings and is three stories in height. The width at the base is 53 feet, and at the top 50 feet, diminishing by regular offsets at each story. These offsets are capped with a projecting belt.

On each corner of this building, there is a circular projecting warder tower, of five feet four inches in diameter, commencing at 10 feet below the top of the wall, and extending five feet above it. The front is crowned between the towers with projecting embattled parapets, supported on corbiels. The warder towers are finished in the same manner.

The octagonal tower which crowns the centre building, is 14 feet in diameter, and extends to the height of 77 feet above the ground. The top is finished with a projecting parapet, pierced with embraseurs.

All the heads of the windows in the front are made in the form of the Tudor arch, decorated with architraves and labels, and the sashes are finished with appropriate tracery.

The wings are each 50 feet in width, and two stories in height. There are two principal gates of entrance into the

prison, one of which is placed in the centre of each of these wings. The gates are 10 feet wide, and 17 feet in height, with a light over the top, secured by a strong wrought iron port-cullis.

The wings and the octagonal towers which flank them, are pierced with slip windows, and crowned with embattled parapets, in the same manner as the centre building.

The bastions on the extreme angles of the front are 15 feet wide at the base, and diminished to 13 feet in width at the top. They are finished with an embattled parapet, in the same manner as the rest of the work. The whole prison is arranged in two separate divisions; one part is intended for untried prisoners, and the other for convicts whose term of service does not exceed two years.

There are 408 separate cells, which are built in two blocks of three stories in height, extending from each wing, at right angles with the principal front. The cells open into a spacious corridor, occupying the centre of each block. The corridors are 20 feet wide, and extend the whole length and height of the building. They are lighted by vertical windows placed above the roof of the cells on either side. The approach to the second and third stories is by means of galleries of 3 feet 9 inches in width, supported on strong cast iron brackets, the stairways are formed of granite. The clerk has an office at the head of each of the blocks of cells, from which he is enabled to see every cell door in the whole range at the same moment.

Each cell is nine feet wide, thirteen feet long, and nine feet high, substantially arched with bricks and floored with oak plank. They are all furnished with separate hydrants, water closets, flues for ventillation, flues for admitting fresh air, (which may be regulated by the prisoners), and flues for admitting warm air, which is generated in furnaces placed in the cellar of the building. These furnaces are entirely of a novel and ingenious construction, and, by an experiment made during the extreme cold weather of last winter, the success of the plan was fully proven. The following is an extract on this important subject, from a report made by the architect to the commissioners for erecting the prison, dated January 7, 1835.

"We are now engaged in constructing the furnaces for heating the cells, one of which has been completed, and in operation for several weeks; this furnace warms sixteen cells in each story, making in all forty-eight cells.

"It affords me great satisfaction in being able to say, that my expectations are fully realized in the performance of this furnace. To-day being as cold as any day we have experienced for several years, I was induced to try the temperature of the cells that are warmed by this furnace. The following is the result of the experiment:

In the yard of the prison, the thermometer stood at 5 degrees above zero. In the cell nearest the furnace, this being

In the 1st cell in the first story, it stood at				58	degrees.
16th	do.	do.	do.	55	do.
1st	do.	second story	do.	59	do.
16th	do.	do.	do.	58	do.
1st	do.	third story	do.	60	do.
16th	do.	do.	do.	61	do.

"The last cell is situated at the greatest distance from the furnace. The experiment was tried with all the cell doors open. By having these closed, several degrees will be added to the temperature of the cells. The animal heat of the inmates will also have a tendency to raise the temperature.

"The experiment, therefore, fully proves that an equality of heat has been attained in the cells, notwithstanding their various distances from the furnace, the greatest difference being but 6 deg. and that difference is found in favor of the cell most remote from the fire. We are also satisfied that there is quite as much heat as the health and comfort of the prisoners will require."

Each cell is closed by two doors, one on the inside, and the other on the outside of the wall, they are both secured to a cast iron frame, which extends through the whole thickness of the wall; the inside door is a grating made of wrought iron, and the outside door is composed of wood.

The hydrants and water closets are supplied from twelve reservoirs, placed near the roof of the building; these reservoirs receive the water from Fair Mount, being 42 feet below the Fair Mount basins.

The kitchen, bakehouse, laundry and bath houses are situated in a separate building, occupying a space of 43 feet wide by 72 feet long, in the yard between the two blocks of cells, they are approached from both divisions of the prison, by means of covered passages; these passages enclose a private garden, for the use of the keeper's family. The kitchen is furnished with a large steam boiler and four cast iron reservoirs, of 80 gallons each, in which all the boiling for the prisoners will be done by steam. The whole apparatus is admirably constructed.

There are also two other buildings in the yard, between the two blocks of cells, one of which is divided into apartments for turning, coopering, blacksmithing, carpentering, &c. and the other comprises a complete dyeing establishment, with all the necessary boilers, tubs, &c.

The whole of this vast pile of buildings is constructed in the most permanent and durable manner, and its external appearance speaks well the objects to which it is appropriated.

On the ground, to the north of this stupendous edifice, there is now being erected a prison for debtors—Mr. Walter is also the architect of this establishment.

The facade is designed in the Egyption style of architecture, and is composed of red sand stone, obtained from the quarries on the Connecticut river, near Middletown. The color of the material comports well with the style of architecture, and will present a pleasing variety in the public buildings in Philadelphia.

The whole width of the front is 90 feet, and the depth 120 feet; the front entrance is formed by a recessed portico, ornamented by two columns of three feet in diameter, and 12 feet high, the windows are crowned with the massy bead, and cavetto-cornice, peculiar to the style; the top of the building is also finished in the same manner.

This establishment contains twenty-two separate rooms for prisoners, which open into two spacious halls, (one in each story), two rooms for witnesses, and accommodations for a keeper with his family.

This prison will be finished about the first of July next, at which time it may be expected that the Arch street prison will be vacated.

WORKING WOMEN.

Having been appointed by the seamstresses at their meeting on the 11th inst. to prepare (from a number of lists of prices handed in to me by about 25 seamstresses) a *general list* of prices received for work by the seamstresses from the clothiers of Baltimore, I hereby inform you that I have performed that duty, and now present to you the same for publication in your paper, hoping that you will with the other editors comply with the wishes of the seamstresses, expressed in a resolution at the above meeting.

I do not think the list is complete as to the great variety of articles, and prices paid for making them; but as far as it goes it will show the public what the wages amount to in a day or a week, as the prices are attached to the articles with the number of garments a woman can make by working a whole day or whole week.

Should any person doubt the accuracy of this statement they can be satisfied by calling at my reading room (for the benefit of the seamstresses) No. 9, Shakspeare street, F. P. where I can refer them to the women who produced the above list.

List of prices paid by the clothiers of Baltimore for work performed for them by the seamstresses.

	Prices.	*No. per day or week.*
Linen overhauls	10 cents.	
Women's cloaks	37½	
Finest cotton shirts, linen bosom & collar	18¾ 25	1 per day.
Cotton velvet vest	12½	1 do.
'Cassian ladies' cloaks	37½	2 per week.
Coarse muslin shirts	9	1 per day.
Baize vommesses	12½	9 per week.
Casinet pantaloons	25	3 per do.
Linen do	12½	1 per day.
Holland do	18¾	1 do.
Coarse muslin shirts	12½	1 do.
Casinet roundabouts	18¾	
Cloth do	15	
White muslin shirts	9	
Coarse pantaloons	8	
Flannel shirts	8	
Check do	8	
Flannel under shirts	6¼	
Drawers	6¼	
Brown Holland jackets	12½	2 per day.
White drilling pantaloons	18¾	1 do.
Corduroy do	10	1 do.
Fine casinet roundabouts	37½	4 per week.
Coarse do. do	25 31½	4 do.
Silk vest, bound with ribbon	25	4 do.
Figured velvet vest	18¾ 25	4 do.
Coarse casinet vest	18¾	5 do.
Fine cloth pantaloons	25	5 do.
Fine and coarse casinet pantaloons	25	
Lasting, bombazett and summer cloth	37½	4 do.
Customer work fine cloth (winter)	50	
Pea coats	37½	2 do.
Cloth jackets	18¾	3 do.
Brown Holland jackets	18¾ 12½	
Brown linen jackets	10	
Good quality casinet pantaloons	18¾	1 per day.
Do. rouen cassimere roundabout	12½	
Men's overhauls	8	
Good quality casinet roundabout	25	
Check shirt	9 10	2 do.
Brown linen pantaloons	18¾	1 do.
Fine white linen customers roundabout	31¼	3½ per week.
Lasting pantaloons, double stitched	25	4 do.
Boys roundabouts (imitation cas.)	12½	1 per day.
Marseilles vests	15	1 do.
Full bosom cotton shirt	15	1 do.
Casinet pantaloons	20	
Do. roundabout	20	
Velvet vests	20	
Flowered Marseilles vests	15	
Twilled cotton pointe	10	
Flannel drawers	7	
Boys' casinet roundabouts	15	
Boys' vests	12½	

Among the women who earn the above amount of wages per piece are many poor widows, and others (who have sickly or worthless husbands) who have to attend to their family affairs and consequently cannot even earn as much as those who have none—and others again are not so expert at the needle. We must then make allowance for this; and say a woman with three children earns from 50 cents to $1 per week, which in some instances she may; what kind of an income is that for her support? I will not say more on this occasion than simply this. The public will be able to see by the above what a poor woman can earn; and the reverend clergy will also see that women who have no more than such an income to support them, are in the most abject poverty. And what can we expect from persons in this condition? I trust to heaven they will consider the responsibility resting upon them relative to the poor, and that they will open their churches (one and all) and take up collections to aid the seamstresses society. The winter is coming, and with it, the sufferings of the poor.

Respectfully, J. F. WEISHAMPEL.

Baltimore, Sept. 15, 1835.

CATHEDRAL AT MEXICO.

We give to-day a fine description of the splendid cathedral of Mexico, translated for us by a friend in this city, from the Spanish original furnished us by a gentleman lately from Mexico. It will repay the reading. [*N. O. American.*

The cathedral of Mexico was founded by the emperor Charles V, and pope Clement VII, by a bull of the 9th September, 1530, and was erected into an archbishoprick by Paul III, in 1547. The conquerer, Fernando Cortes, after having destroyed the ancient city of the Indians, upon rebuilding it, and apportioning a space to the Spaniards, destined to the members of the order of St. Francisco that which was occupied by the principal temple of Mexico, in order that this being demolished, a small church might be built, with the corresponding habitations for 12 ministers to officiate in it. But a short time after, they gave to those regulars the site now occupied by the convent of St. Francisco; and that of the old church was purchased from them for forty dollars, to build upon it the cathedral, which was executed by an order from the captain-general, Cortes, and the archbishop Zumarraga.

The temple was splendid, for those times; its principal entrance being to the west, and another to the east. King Phillip II wishing to erect a more sumptuous building, ordered the old cathedral to be demolished in 1552, to build the present one, which was begun in 1573—Don Pedro Moya de Canteras being then archbishop—which work lasted eighty-four years, and was finally finished in 1657, under the government of Don Francisco Ramirez de Prado, who performed the solemn dedication of it on the 22d December. That building cost 1,752,000 dollars, and was paid for by the kings Phillip II, III, IV, and Charles II.

The edifice occupies a principal part of the great square, and its dimensions are 465 feet from north to south, and 219 from east to west; without counting the portico and the burying ground, which is very extensive, and surrounded by 124 stone pillars, six feet high, and from which hang 127 iron chains. The door to the east, called the canons, is surrounded by a beautiful railing, with doors, all of iron. On its principal front, which faces to the south, it has three entrances, the one built after the Doric order, the second after the Ionic and the third after the Corinthian, with statues and bas-reliefs. It has two steeples, the one Doric and the other Ionic, upon which rests an arch in the form of a bell; at the top of it stands a globe with a stone cross. Until January, 1781, only the one to the east existed; but in the course of that year they commenced the one to the westward, and both were concluded in 1791. The height of them from the top of the crosses to the portico is 216 feet, and the cost of them 190,000 dollars.

The bell, Dona Maria, was hung up in 1754, its weight is 150 quintals. The largest one, called Sta. Maria de Gaudalupe, was hung in the western steeple in 1762; its height is 18 feet. There is, besides, a third bell, weighing 147 quintals, which was put up 1793.

The cornices of the stories of both steeples are ornamented with a balustrade; adorned with urns upon the first, and with colossal statues upon the second, which from below appear to be of natural size, and represent the doctors of the church, or patriarchs of the regular orders. Between the steeples and over the principal entrance, stands the clock, whose dial is of gilded metal; above it there are three stone theological virtues, with the tokens of their respective attributes, also of gilded metal. The other doors are as follows, on the west: The interior of this edifice is of the Doric order, with very good arches. Its domes are five—three open and two closed: in the first are seen fourteen buttresses, or arched pillars, with columns for each one of its four sides; from the upper part of which the arches commence, which terminate upon others in front of them, and upon spaces left for the purpose over the buttresses which separate the openings of the fourteen altars or chapels, distributed on the sides of two colored naves. Those altars are surrounded with very tasty iron balustrades, with splendid ornaments of gold and silver, made in modern style. There are dispersed between the arches, the domes, and the openings left in the arches in form of a half moon, and the different altars, upwards of 147 windows. The cupola and its turret are of an octagon figure, and on the inside of it is painted in *fresco*, the assumption, having a circle of beautiful rays for the bottom or ground work; and over that body of light are represented, in different groups, the ancient patriarchs and the most celebrated women mentioned in the sacred history of the Old Testament.

The chief or largest altar, stands in the centre nave between the columns which precede the cupola to the north. Although very ancient, it possesses nevertheless majesty and beauty; it is two stories high; the first is formed on the outside with wooden columns; those next to the tabernacle are of jasper; those which compose it are of silver, and those on the inside of it are gold. Statues representing the twelve apostles, ornament this first story. There is in the centre of the second story, an image of the assumption, which is the title of the cathedral: there are also images of the evangelists, doctors of the church and patriarchs. On each side of the sanctuary stand the two ———, which, together with the pulpit, are each one of a single stone called tecali, and have existed from the commencement of the temple. The high altar was dedicated on the 10th of December, 1743. The whole sanctuary, the ascent to which is by four large steps, is surrounded with a balustrade made of a composition of different metals called *tumbago;* it is adorned with statues holding candlesticks for large tapers. The balustrade continues along the passages on each side of the cathedral to the choir, which is at the other extremity, and has also a flight of steps, gratings and doors, also made of *tumbago;* of this same metal is the balustrade around the choir, which also serves to form the tribunes, inside of which, and upon each side of the choir, are two splendid organs; the interior of the choir is adorned with handsome seats.

The railing and doors of the choir were manufactured in the city of Mecca, in China; they were placed there in 1730; the weight of them is 534 quintals. At the north end of the building, towards the east, are located the session room of the chapter, the office of the keys, the office of the tithes, and the public library attached to the church, which is a separate building, though contiguous to it. This library was donated to the cathedral by the illustrious Don Luis and Don Cayetana de Torres. Towards the east are located the vestry, an apartment leading to the sacristy and the collegiate rooms. Finally, on the principal front towards the east, is another temple, placed upon a superficies of 162 feet, the plan of which is a cross of equal dimensions; its structure and distribution inside is very good; it serves as a parish church, and communicates with the cathedral itself; it has three naves, a vestry room, another destined to expose dead bodies, previous to sepulture, &c.

The cathedral of Mexico possesses jewels of extraordinary value, and ecclesiastical ornaments of the greatest richness. Among the former the most worthy of notice is the service of gold for the altar, composed of six chandeliers, six vases with artificial flowers, four large candlesticks, two incensories, two lesser ones, a cross ornamented in like manner with precious stones, together with its pedestal, the front of which is ornamented in like manner; others of filigree work, two stands for the missal and two plates or salvers. The image of the assumption, entirely of gold adorned with very rich stones, and which weighs 6,984 *castellanos* (a gold coin). The image of the conception, of massive silver, weighing thirty-eight marcs; a chandelier of silver, which adorns the front of the altar, weighing 4,373 marcs, of which 1,710 are gilded, and which cost, according to the account presented by the silversmiths, Estrada & Cruz, who made it, the sum of $72,343 37½; it contains 54 branches; its height is twenty-five feet, its greatest diameter is 10 feet, its circumference 30 feet, and it is suspended by a chain and hook of iron which weighs 1,650 pounds.

The principal consecrated vessel, in which the sacrament is exhibited, was purchased from Don Jose Borda, its height is three feet, its weight 88 marcs of gold; the front of it is adorned with 5,872 *diamonds;* the back of it contains 2,753 *emeralds*, 544 *rubies*, 106 *amethysts* and 8 *saphires*. The cathedral bought it for $100,000, but its real value is much more. The large chalice or cup, contains 13 marcs of gold, and 1,676 diamonds. There is a smaller one, containing 10½ marcs of gold, with 122 diamonds, 143 emeralds, and 132 rubies. There is also a smaller vessel in which the sacrament is exhibited on Sundays, also ornamented with diamonds. All the foregoing jewels were donated by the emperor Charles V. There are besides, 20 chalices or cups of gold, many of which are ornamented with diamonds, and six golden waiters with cruets, (for wine and water).

The plate or service of silver is very abundant; it consists of two sets of torch stands, containing each four torches, a great number of vases, incensories, candlesticks, chalices and cruets; three statues, one very large tabernacle, 11 lamps of 24 lights each, four vases for incense, 6 feet high, all of massive silver. The ecclesiastical vestiments are the most splendid in all the republic. Charles V. presented the cathedral with a great many very rich ones; and since, other donations have been made by kings and private individuals, besides a great many manufactured at the expense of the church. The cabildo or chapter, is composed of 26 members, in the following order: five dignitaries, a dean, an archdean, a canon, a schoolmaster and treasurer, four other canons, one doctoral, one magisterial, one lecturing canon and one penitentiary; five in pay, six prebendaries and as many half prebendaries. There are besides, a great number of choir chapelins, and a number of boys as assistants, in the service. There is an orchestra in which are to be found musicians of the first talent, both instrumental and vocal.